

REGIONAL DISTRICT OF NANAIMO

**BOARD MEETING
TUESDAY, FEBRUARY 28, 2006
(immediately following the Hospital District meeting)**

(RDN Board Chambers)

A G E N D A

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1. **CALL TO ORDER**
2. **DELEGATIONS**
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31 **Andrew & Susan Dysart**, re Development Permit Application No. 60604 – Dave Scott for 3536696 Canada Inc. - Area E.
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32-38 Bylaw No. 500.308 – Land Use and Subdivision Amendment Bylaw – Wessex Enterprises Ltd./Addison – Midora & Extension Roads – Area C. (Electoral Area Directors except EA ‘B’ – One Vote)
39-40 Bylaw No. 500.324 – Land Use and Subdivision Amendment Bylaw – Nanoose Bay Official Community Plan Implementation – Area E. (Electoral Area Directors except EA ‘B’ – One Vote)
Public Hearing.
41-71 Report of the Public Information Meeting held February 6, 2006 with respect to Land Use and Subdivision Amendment Bylaw No. 500.323 – Amendment Application ZA0510 – Cedar Estates – Cedar and Hemer Roads – Area A. (Electoral Area Directors except EA ‘B’ – One Vote)

- 72-77 Report of the Public Hearing held February 13, 2006 with respect to Land Use and Subdivision Amendment Bylaw No. 500.327 – Keith Brown & Associates on behalf of Nanaimo Mini Storage – 2180 South Wellington Road – Area A. (Electoral Area Directors except EA ‘B’ – One Vote)
- 78-84 Report of the Public Hearing held February 16, 2006 with respect to Land Use and Subdivision Amendment Bylaw No. 500.329 – Zoning Amendment Application No. ZA0520 – Scouts Canada – Windsor Rowe on behalf of Scouts Canada – Camp Douglas – Despart Avenue – Area G. (Electoral Area Directors except EA ‘B’ – One Vote)
- 85-90 Report of the Public Hearing held February 15, 2006 with respect to Land Use and Subdivision Amendment Bylaw No. 500.330 – Rondalyn Resort – 1350 Timberlands Road – Area C. (Electoral Area Directors except EA ‘B’ – One Vote)

7. STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

- 91-94 Minutes of the Electoral Area Planning Committee meeting held February 14, 2006. (for information)

PLANNING

AMENDMENT APPLICATIONS

Amendment Application ZA0417 – Island Cash Buyers, on behalf of Integrated Land Management Bureau – Deep Bay Harbour – Area H. (Electoral Area Directors except EA ‘B’ – One Vote)

1. That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.332, 2006” to rezone the property from Water 1 Subdivision District ‘Z’ (WA1Z) to Water 2 Subdivision District ‘Z’ (WA2Z) in order to recognize a number of existing marina uses on the property be given 1st and 2nd reading.
2. That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.332, 2006” be approved to proceed to Public Hearing.
3. That the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.332, 2006” be delegated to Director Bartram or his alternate.

Amendment Application ZA0525 – Coulson – 161 Horne Lake Road – Area II. (Electoral Area Directors except EA ‘B’ – One Vote)

1. That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.328, 2006” to rezone the land from Residential 6 Subdivision District ‘D’ (RS6D) to Horne Lake Road Comprehensive

Development Zone Subdivision District 'Z' (CD32Z) be given 1st and 2nd reading.

2. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.328, 2006" be approved to proceed to Public Hearing, subject to the conditions identified in Schedule 1.*
3. *That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.328, 2006" be delegated to Director Bartram or his alternate.*

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60559 – John Gantner –825 Flamingo Drive - Area G. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP 60559.

That Schedule 1 of Development Permit Application No. 60559 be amended to add the following:

"Section 219 Covenant

- f) *At the applicant's expense and to the satisfaction of the RDN, the applicant shall register on title a Section 219 covenant that saves the RDN harmless from any legal action or loss that may result from flooding, and includes the geotechnical report prepared for the property."*

That Development Permit Application No. 60559, to allow the replacement of an existing dwelling with a new dwelling and vary the maximum dwelling unit height in the Residential 2 (RS2) zone from 8 metres to 9.5 metres, be approved according to the terms outlined in Schedule No. 1 as amended, and subject to the Board's consideration of comments received as a result of public notification.

Development Permit Application No. 60602 – Gorenko – 721 Barclay Crescent North – Area G. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP 60602.

That Development Permit Application No. 60602, to facilitate the replacement of an existing single-wide manufactured home with a double-wide manufactured home at 721 Barclay Crescent North, be approved according to the terms outlined in Schedule No. 1.

Development Permit Application No. 60604 – Dave Scott for 3536696 Canada Inc. - Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP 60604.

That Development Permit Application No. 60604, to site a new dwelling and vary the maximum dwelling unit height from 8 metres to 9.83 metres, be approved

according to the terms outlined in Schedule No. 1 and subject to the Board's consideration of comments received as a result of public notification.

Development Permit Application No. 60605 – Konitzki/Homes by Kimberly – 2590 La Selva Place – Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP 60605.

That Development Permit Application No. 60605 to allow for the construction of one single-dwelling unit and one accessory building be approved according to the terms outlined in Schedule No. 1.

OTHER

Request for Relaxation of the Minimum 10% Perimeter Requirement – Glencar Consultants Ltd., on behalf of T & M Gilchrist – Raines Road – Area A. (Electoral Area Directors except EA 'B' – One Vote)

That the request from Glencar Consultants, on behalf of the Gilchrists, to relax the minimum 10% frontage requirement for the proposed Remainder of Lot 1, as shown on the plan of subdivision of Lot 1, Section 18, Range 7, Cranberry District, Plan 20029 Except Parts in Plans 28748 and 28749 be approved subject to the conditions set out in Schedule No. 1.

Riparian Areas Regulation. (Electoral Area Directors except EA 'B' – One Vote)

That the Electoral Area Planning Committee receive this report for information.

Floodplain Management Bylaw No. 1469. (Electoral Area Directors except EA 'B' – One Vote)

- 1. That "Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006" be introduced and read three times.*
- 2. That "Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006" be adopted.*

Proposed Development Variance Permit, Development Permit with Variance and Floodplain Exemption Evaluation Guidelines. (Electoral Area Directors except EA 'B' – One Vote)

That the Board rescind Policy B1.5 – Development Variance Permit Application Evaluation Guidelines.

That the Board endorse as a policy, the Development Variance Permit, Development Permit with Variance and Floodplain Exemption Application Evaluation Guidelines attached as Schedule No. 1 to the staff report.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

95-100

Minutes of the Committee of the Whole meeting held February 14, 2006. (for information)

COMMUNITY SERVICES

EMERGENCY PLANNING

Expansion of Coombs Hilliers Department Rescue Boundary. (All Directors – One Vote)

That the Regional District support the request from the CHFD to have PEP expand their current rescue boundary to the parking lot at Cathedral Grove.

Horne Lake Strata Corporation Application for Community Wildfire Protection Plan Provincial Funding. (All Directors – One Vote)

That the Horne Lake Strata Corporation application for provincial funding under the Community Wildfire Protection Plan be approved, and that an agreement with the Strata Corporation be developed to provide assurance of payment of their project share.

RECREATION AND PARKS

Oceanside Tourism Association Agreement.

(All Directors – Weighted Vote)

That the Service Agreement with the Oceanside Tourism Association for a term of three years beginning January 1, 2006 and ending on December 31, 2008, be approved.

(All Directors – One Vote)

That Director Holme be appointed to the Oceanside Tourism Association as the Board's representative.

CORPORATE SERVICES

ADMINISTRATION

Grants-in-Aid Policy. (All Directors – One Vote)

That a maximum limit of \$5,000 be established for a grant in aid under this program.

That the process for grant requests exceeding \$5,000 as outlined in this report be added to the policy.

That Grant-in-Aid Policy A1.28 be approved as presented.

Vancouver Island Biosphere Request for Study Funding. (Electoral Areas 'E', 'F', 'G', 'H', Parksville & Qualicum Beach Directors – Weighted Vote)

That the Board approve raising from District 69 members, a one time grant-in-aid in the amount of \$8,350 for the preparation of a business plan for the Vancouver Island Biosphere Centre with terms and conditions as outlined in Alternative 1 of the staff report.

DEVELOPMENT SERVICES

ENGINEERING

Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.12 – Davenham Road – Area E. (All Directors – One Vote)

1. *That Lot 3, Plan VIP31921, DL 137, Nanoose District be included in the Rural Streetlighting Local Service Area.*
2. *That "Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.12, 2006" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*

ENVIRONMENTAL SERVICES

UTILITIES

Water Leak Policy. (All Directors – One Vote)

That "Adjustment for Water Leak Policy D1.1 February 14, 2006" be approved.

Pump and Haul Local Service Area Amendment Bylaw No. 975.42 – 7463 Industrial Way – District of Lantzville. (All Directors – One Vote)

1. *That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 1, District Lot 85, Wellington District, Plan 15245. (Industrial Road in the District of Lantzville).*
2. *That "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.42, 2006" be read three times and forwarded to the Inspector of Municipalities for approval.*

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area 'A' Parks and Green Spaces Advisory Committee. (All Directors – One Vote)

That the minutes of the Electoral Area 'A' Parks and Green Spaces Advisory Committee meetings held November 17, 2005 and January 19, 2006 be received for information.

Nanoose Bay Parks and Open Space Advisory Committee. (All Directors – One Vote)

That the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held November 7, 2005 be received for information.

Electoral Area ‘G’ Parks and Open Space Advisory Committee. (All Directors – One Vote)

That the minutes of the Electoral Area ‘G’ Parks and Open Space Advisory Committee meeting held October 20, 2005 be received for information.

Electoral Area ‘H’ Parks and Open Space Advisory Committee. (All Directors – One Vote)

That the minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held November 30, 2005 be received for information.

District 69 Recreation Commission.

(All Directors – One Vote)

That the minutes of the District 69 Recreation Commission meeting held November 17, 2005 be received for information.

That the RDN apply for funding from the Province of BC Olympic/Paralympic Live Sites Program for the Ravensong Aquatic Centre Wellness Centre addition.

(Electoral Areas ‘E’, ‘F’, ‘G’, ‘H’, Parksville & Qualicum Beach – Weighted Vote)

That \$10,000 in funding be allocated in the Regional District of Nanaimo’s Five Year Financial Plan for 2006 to provide conceptual designs and drawings and for cost estimates for the Wellness Centre addition at the Ravensong Aquatic Centre.

(All Directors – One Vote)

That the RDN, City of Parksville, Town of Qualicum Beach and School District 69 prepare a joint proposal in 2006 to apply for funding from the Province of BC Olympic/Paralympic Live Sites Program for the development of a track and field facility in the Oceanside area.

That the minutes of the District 69 Recreation Commission meeting held January 26, 2006 be received for information.

(Electoral Areas 'E', 'F', 'G', 'H', Parksville & Qualicum Beach – Weighted Vote)

That the Regional District participate in the City of Parksville and RDN Recreation and Parks reader board sign replacement project and grant application, and that \$10,000 from the District 69 Arena Function budget surplus be allocated in the 2006 Annual Budget for the Regional District's financial contribution to the reader board sign replacement project.

That the Regional District endorse the Active Communities Initiative by registering Oceanside as an Active Community in the 20% Physical Activity Challenge, and that staff coordinate and implement the initiative with community partners on behalf of Oceanside residents.

Transit Business Plan Update Select Committee. (All Directors – One Vote)

That the minutes of the Transit Business Plan Update Select Committee meeting held January 26, 2006 be received for information.

That the report on the District 69 Transit proposal be received for information.

That the District 69 Transit Services proposal be submitted to public consultation and considered subject to BC Transit's cost sharing commitment and final Board review as part of the 2006 annual budget approval process.

That staff be directed to review the formula for the allocation of costs among the transit participants.

Grants-in-Aid Advisory Committee. (All Directors – One Vote)

That the minutes of the Grants-in-Aid Advisory Committee meeting held February 6, 2006 be received for information.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Qualicum Bay Arts & Cultural Centre. (All Directors – One Vote)

That the Board provide a letter of support in principle for the Qualicum Bay Arts and Cultural Centre project.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

District 69 Recreation Commission. (All Directors -- One Vote)

101-113

Minutes from the District 69 Recreation Commission meeting held February 16, 2006. (for information)

That the District 69 Recreation Grants Program criteria be amended to exclude requests for repairs, maintenance or capital improvements to community operated buildings or halls.

That staff develop a framework for providing facility based grants commencing in 2007, within the Electoral Area Community Parks function.

8. ADMINISTRATOR'S REPORTS

114-116 Contravention of Unsightly Premises Regulatory Bylaw No. 1073 – 1701
Morden Road – Area A. (Electoral Area Directors except EA 'B' – One Vote)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

That pursuant to Section 90(1) (g) of the Community Charter the Board proceed to an In Camera meeting to consider items relating to a legal matter.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JANUARY 24, 2006, AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

Present:

Director L. McNabb	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Alternate	
Director J. Chase	Electoral Area G
Director D. Bartram	Electoral Area H
Director B. Johnston	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director G. Korpan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
B. Lapham	Deputy Administrator
N. Connelly	Gen. Mgr. of Community Services
J. Finnie	Gen. Mgr. of Environmental Services
N. Avery	Manager of Financial Services
M. Pearse	Manager of Administrative Services
N. Tonn	Recording Secretary

DELEGATIONS

Blain Sepos and Al Tully, Oceanside Tourism, re Fee for Service Agreement.

The Board was provided with an overview of the Oceanside Tourism Association including achievements in 2005 and plans for 2006. A request to increase the term of the existing service agreement from one to three years was also presented.

Jason LeFevre, re Ripple Affect Program.

Mr. LeFevre presented a visual and verbal overview of the Ripple Affect Program including program background, how it relates to the community, components, membership process and the program's goal.

LATE DELEGATIONS

MOVED Director Manhas, SECONDED Director Burnett, that the following delegations be permitted to address the Board.

CARRIED

A.D. Storrie, V.M. Sotrie, Ray Zoost and John Gantner, re Gravity Sewer to East Side of Flamingo Drive, Qualicum Beach.

Mr. Storrie provided a summary of the area's unsuccessful requests since 1967 to establish a sewer service to residents on the East side of Flamingo Drive. The Board was asked to give immediate consideration to this request.

Bob Bryan, re Development of Mobile or Modular Home Parks – Costa Lotta (now known as Qualicum Landing).

Mr. Bryan spoke on the need for modular home park development in the Regional District and the plight of residents in parks which are closed and they find themselves displaced.

Director Bartram asked that the report regarding manufactured home parks be brought forward at this time.

2006 AVICC Resolution – Manufactured Home Park Tenancy Act.

MOVED Director Bartram, SECONDED Director Westbrook,:

1. That correspondence be sent to the Minister responsible requesting the Province to investigate the adequacy of compensation that is currently provided for in the *Manufactured Home Park Tenancy Act* for individuals faced with the termination of tenancy in manufactured home parks.
2. That this request be forwarded to the 2006 AVICC Convention for support as follows:

WHEREAS the *Manufactured Home Park Tenancy Act* provides for limited compensation to individuals faced with the termination of tenancy in manufactured home parks;

AND WHEREAS individuals faced with the termination of tenancy in manufactured home parks may not have an option to relocate their mobile to another park or location due to the age or condition of the manufactured home, the standards required by the Building Code or the limited availability of vacant mobile home park sites;

THEREFORE BE IT RESOLVED that the Province be requested to investigate the adequacy of compensation that is currently provided for in the *Manufactured Home Park Tenancy Act* for individuals faced with the termination of tenancy in manufactured home parks and that such investigation include consultation with mobile home owners' associations.

CARRIED

MOVED Director Brennan, SECONDED Director Korpan, that staff be directed to look at the policy proposed by Coquitlam with respect to manufactured home parks and forward a report for the Board's consideration on the feasibility of such a policy.

CARRIED

BOARD MINUTES

MOVED Director Westbrook, SECONDED Director Brennan, that the minutes of the inaugural Board meeting held December 13, 2005 and the minutes of the special Board meeting held January 10, 2006 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Elizabeth Harrison, BC Ferry Authority, re BC Ferry Authority Appointments.

MOVED Director Holdom, SECONDED Director Brennan, that the correspondence from BC Ferry Authority regarding the appointment of Mr. Tom Harris to the BC Ferry Authority be received for information.

CARRIED

Shirley Hine, City of Parksville, re Representative to District 69 Recreation Commission.

MOVED Director Holdom, SECONDED Director Brennan, that the correspondence from the City of Parksville regarding Parksville's representative to the District 69 Recreation Commission be received for information.

CARRIED

Shirley Hine, City of Parksville, re Representative to Arrowsmith Water Service Management Committee.

MOVED Director Holdom, SECONDED Director Brennan, that the correspondence from the City of Parksville regarding Parksville's representative to the Arrowsmith Water Service Management Committee be received for information.

CARRIED

Bernice Hannam, School District No. 69, re School Board Appointments.

MOVED Director Holdom, SECONDED Director Brennan, that the correspondence from School District 69 regarding appointments to the School Board be received for information.

CARRIED

Sandra Keddy, Town of Qualicum Beach, re Representative to District 69 Recreation Commission.

MOVED Director Holdom, SECONDED Director Brennan, that the correspondence from Town of Qualicum Beach regarding their representative to the District 69 Recreation Commission be received for information.

CARRIED

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 500.309.

MOVED Director Bartram, SECONDED Director Holme, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.309, 2005" be adopted.

CARRIED

Bylaw No. 787.04.

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Building Inspection Service Amendment Bylaw No. 787.04, 2006" be adopted.

CARRIED

Bylaw No. 801.05.

MOVED Director Bartram, SECONDED Director Holme, that "Electoral Area 'C' (defined Area 'C') Community Parks Local Service Amendment Bylaw No. 801.05, 2006" be adopted.

CARRIED

Bylaw No. 802.03.

MOVED Director Bartram, SECONDED Director Holme, that "Electoral Area 'C' (defined Area 'D') Community Parks Local Service Amendment Bylaw No. 802.03, 2006" be adopted.

CARRIED

Bylaw No. 888.04.

MOVED Director Bartram, SECONDED Director Holme, that "Southern Community Sewer Service Participating Area Amendment Bylaw No. 888.04, 2006" be adopted.

CARRIED

Bylaw No. 975.41.

MOVED Director Bartram, SECONDED Director Holme, that "Regional District of Nanaimo Pump and Haul Local Service Area (Participating Areas) Amendment Bylaw No. 975.41, 2006" be adopted.

CARRIED

Bylaw No. 992.03.

MOVED Director Bartram, SECONDED Director Holme, that "Wellington Fire and Streetlighting Local Service Area Participating Area Amendment Bylaw No. 992.03, 2006" be adopted.

CARRIED

Bylaw No. 1230.04.

MOVED Director Bartram, SECONDED Director Holme, that "Southern Community Transit Service Area Participating Area Amendment Bylaw No. 1230.04, 2006" be adopted.

CARRIED

Bylaw No. 1320.01.

MOVED Director Bartram, SECONDED Director Holme, that "Electoral Area 'C' (defined Area 'C') Port Theatre Contribution Service Boundary Amendment Bylaw No. 1320.01, 2006" be adopted.

CARRIED

Bylaw No. 1448.01.

MOVED Director Bartram, SECONDED Director Johnston, that "Electoral Area 'C' (defined Area 'D') Port Theatre Contribution Service Area Amendment Bylaw No. 1448.01, 2006" be adopted.

CARRIED

Bylaw No. 500.325.

MOVED Director Bartram, SECONDED Director Holme, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.325, 2005" be adopted.

CARRIED

Bylaw No. 1285.07.

MOVED Director Bartram, SECONDED Director Biggemann, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw Amendment Bylaw No. 1285.07, 2005" be adopted.

CARRIED

Bylaw No. 1240.02.

MOVED Director Bartram, SECONDED Director Burnett, that "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.02, 2005" be adopted.

CARRIED

Bylaw No. 1148.03.

MOVED Director Bartram, SECONDED Director Young, that "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.03, 2005" be adopted.

CARRIED

Bylaw No. 1055.02.

MOVED Director Bartram, SECONDED Director Young, that "Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw Amendment Bylaw No. 1055.02, 2005" be adopted.

CARRIED

Bylaw No. 1115.03.

MOVED Director Bartram, SECONDED Director Chase, that "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.03, 2005" be adopted.

CARRIED

Bylaw No. 1007.04.

MOVED Director Bartram, SECONDED Director Holme, that "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.04, 2005" be adopted.

CARRIED

Bylaw No. 1102.01.

MOVED Director Bartram, SECONDED Director Young, that "Electoral Area 'C' Noise Control Service Amendment Bylaw No. 1102.01, 2006" be adopted.

CARRIED

Bylaw No. 813.36.

MOVED Director Bartram, SECONDED Director Johnston, that "French Creek Sewerage Facilities Local Service Area Amendment Bylaw No. 813.36, 2005" be adopted.

CARRIED

Bylaw No. 889.38.

MOVED Director Bartram, SECONDED Director Holme, that "Northern Community Sewer Local Service Area Amendment Bylaw No. 889.38, 2005" be adopted.

CARRIED

Public Hearing.

Report of the Public Hearing held January 11, 2006 with Respect to Land Use and Subdivision Amendment Bylaw No. 500.324 – Nanoose Bay Official Community Plan Implementation – Area E.

MOVED Director Holme, SECONDED Director Bartram, that the Report of the Public Hearing containing the Summary of the Minutes of the Public Hearing held January 11, 2006 on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005" be received.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005" be given 3rd reading.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005, be referred to the Ministry of Transportation for consideration of approval.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Holme, that the minutes of the Electoral Area Planning Committee meeting held January 10, 2006 be received for information.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Amendment Application ZA0501 – Keith Brown & Associates, on behalf of Nanaimo Mini Storage – 2180 South Wellington Road – Area A.

MOVED Director Bartram, SECONDED Director Burnett, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.327, 2006" to rezone the property from Residential 2 Subdivision District 'F' (RS2F) / Industrial 1 Subdivision District 'M' to Comprehensive Development 28 (CD28) to allow the industrial use of the property be given 1st and 2nd reading.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.327, 2006" be approved to proceed to Public Hearing subject to the conditions identified in Schedule 1.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.327, 2006" be delegated to Director Burnett or his alternate.

CARRIED

Amendment Application ZA0510 – Cedar Estates – Robert Boyle Architecture Inc. on behalf of 700805 BC Ltd. and Lot 6 Holdings – Cedar and Hemer Road – Area A.

MOVED Director Bartram, SECONDED Director Burnett, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.323, 2005" to rezone the lands from Commercial 2 Subdivision District M (CM2M) to Comprehensive Development 29 (CD29) to facilitate the development of residential housing and a personal care use be reintroduced and given 2nd reading.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.323, 2005" proceed to Public Hearing, subject to the conditions identified in Schedule 1.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.323, 2005" be delegated to Director Burnett or his alternate.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that due to notable amendments to the development proposal, a further Public Information meeting be held prior to the Public Hearing.

CARRIED

Amendment Application ZA0520 – Scouts Canada – Camp Douglas – Despard Avenue – Area G

MOVED Director Bartram, SECONDED Director Chase, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.329, 2006” to rezone the subject property from Rural 1 Subdivision District D (RU1D) to Recreation 1 Subdivision District D (RC1D) to allow the use of the site for camping and recreation be given 1st and 2nd reading, subject to the conditions outlined in Schedule No. 1.

CARRIED

MOVED Director Bartram, SECONDED Director Chase, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.329, 2006” be approved to proceed to Public Hearing.

CARRIED

MOVED Director Bartram, SECONDED Director Chase, that the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.329, 2006” be delegated to Director Stanhope or his alternate.

CARRIED

MOVED Director Bartram, SECONDED Director Chase, that Schedule No. 1 be amended to add the requirement that a Section 19 covenant be registered on title requiring any sewage holding tanks on site to be flood proofed and emptied each fall and/or when required.

CARRIED

Amendment Application ZA0522 – Rondalyn Resort – Dan and Linda on behalf of Danron Holdings Ltd. – 1350 Timberland Road – Area C.

MOVED Director Bartram, SECONDED Director Young, that Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330 to amend the CD13 zone to increase the maximum number of RV/camping spaces from 60 to 90 be given 1st and 2nd reading.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006" be approved to proceed to public hearing.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330 2006” be delegated to Director Young or her alternate.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that the conditions as outlined in Schedule No. 1 be completed prior to final adoption of the bylaw.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60555 – Murray Hamilton on behalf of Horne Lake Strata Corporation VIS 5160 –Area H.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit No. 60555, to allow the construction of a boat launch on common property at Horne Lake, be issued subject to the terms outlined in Schedules No. 1 and 2.

CARRIED

Development Permit Application No. 60557 – Gord Atkinson on behalf of Pacific Rim Land & Resource Management Ltd. – Crosley Road – Area H.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60557 submitted by Gord Atkinson, on behalf of Pacific Rim Land & Resource Management Ltd., in conjunction with the subdivision on the parcel legally described as Lot 1, District Lot 85, Newcastle District, Plan 17124 and designated within the Environmentally Sensitive Areas Development Permit Area, be approved, subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

Development Permit Application No. 60558 – Gord Atkinson on behalf of Pacific Rim Land & Resource Management Ltd. - Crosley Road – Area H.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60558 submitted by Gord Atkinson, on behalf of Pacific Rim Land & Resource Management Ltd., in conjunction with the subdivision on the parcel legally described as Lot 2, District Lot 85, Newcastle District, Plan 17124 and designated within the Environmentally Sensitive Areas Development Permit Area, be approved, subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90519 – Olsen – 195 Barton Road – Area G.

MOVED Director Bartram, SECONDED Director Chase, that Development Variance Permit Application No. 90519 be approved according to the terms contained in Schedule No. 1, subject to the Board's consideration of comments received as a result of public notification.

CARRIED

OTHER

Request for Relaxation of the Minimum 10% Perimeter Requirement – L & S Arman – Elizabeth Street – Area C.

MOVED Director Bartram, SECONDED Director Young, that the request from Lanny and Susan Arman to relax the minimum 10% frontage requirement for proposed Lot A, as shown on the submitted plan of subdivision of Lot 1, Section 12, Range 2, Cranberry District, Plan 35220, be approved.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Holme, SECONDED Director Holdom, that the minutes of the regular Committee of the Whole meeting held January 10, 2006 be received for information.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Technical Exchange Mission – RDN Partnership with Sunyani, Ghana.

MOVED Director Korpan, SECONDED Director Holme, that the Board receive the update regarding the partnership project between the RDN and the Sunyani Municipal Assembly.

CARRIED

FINANCE

Amendment to Banking/Investing Signing Authorities.

MOVED Director Korpan, SECONDED Director Holme, that Carol Mason, Chief Administrative Officer, be added as a signing authority for all financial instruments as outlined in agreements with the Royal Bank of Canada, the Municipal Finance Authority and Canaccord Capital and that this authorization apply equally to the Regional District of Nanaimo and the Nanaimo Regional Hospital District.

CARRIED

Municipal Benefiting Area (Parksville) Amendment Bylaw No. 890.03 – Amendment to the Municipal Participating Area in the City of Parksville – Northern Community Sewer Service.

MOVED Director Johnston, SECONDED Director Westbroek, that “Municipal Benefiting Area (Parksville) Amendment Bylaw No. 890.03, 2006” be introduced for first three readings.

CARRIED

2006 Assessment Roll Preparation Bylaw No. 1478.

MOVED Director Holme, SECONDED Director Korpan, that “Regional District of Nanaimo Year 2006 Assessment Roll Preparation Bylaw No. 1478, 2006” be introduced for first three readings.

CARRIED

MOVED Director Holme, SECONDED Director Korpan, that “Regional District of Nanaimo Year 2006 Assessment Roll Preparation Bylaw No. 1478, 2006” having received three readings be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Korpan, that the Board appoint the Chairperson, the Manager of Financial Services and the Manager of Administrative Services to preside as the parcel tax review panel.

CARRIED

FIRE DEPARTMENTS

Support for Request of Free Crown Grant for Bow Horn Bay Fire Department – Area H.

MOVED Director Korpan, SECONDED Director Bartram, that the Regional District of Nanaimo support the application for a grant of land on a part of Lot A, Block 360, Plan VIP 54327, Alberni District, for firefighting purposes for the Bow Horn Bay Fire Department.

CARRIED

Renewal of Fire Protection Service Agreement with the Nanoose Bay Fire Protection Society – Area E.

MOVED Director Korpan, SECONDED Director Holme, that the fire services agreement with the Nanoose Bay Fire Protection Society be renewed for a five year term from March 1, 2006 to February 28, 2011 and that the agreement provide for automatic five year term renewals.

CARRIED

Nanoose Bay Fire Protection Service Area Purpose Amendment Bylaw No. 991.02 – Area E.

MOVED Director Holme, SECONDED Director Korpan, that “Nanoose Bay Fire Protection Service Area Purpose Amendment Bylaw No. 991.02, 2006” be introduced for first three readings and be forwarded to the Ministry of Community Services for approval.

CARRIED

ENVIRONMENTAL SERVICES

SOLID WASTE

Commercial Food Waste Ban Progress Report.

MOVED Director Brennan, SECONDED Director Holdom, that the Board receive the progress report on the commercial food waste ban from RDN disposal facilities for information.

CARRIED

Doumont Road Burn Site.

MOVED Director Korpan, SECONDED Director Burnett, that the Board direct staff to request the Ministry of Environment cancel the permit to burn at the Doumont Road site.

CARRIED

Waste Stream Management Licensing Bylaw Progress Report.

MOVED Director Westbrook, SECONDED Director Brennan, that the Board receive the progress report on Waste Stream Management Licensing Bylaw No. 1386 for information.

CARRIED

Landfill Rubber Tire Wheel Loader/Tool Carrier.

MOVED Director Westbrook, SECONDED Director Manhas, that Heavy Equip Sales be awarded the supply of a Terex SKL873 SP rubber tire wheel loader for a net cost of \$76,765 and that the Manager of Financial Services be authorized to execute a four year lease to finance this purchase.

CARRIED

UTILITIES

Expenditure of San Pareil Borrowing Bylaw Funds.

MOVED Director Chase, SECONDED Director Biggemann, that the authorization of a drawdown of up to \$40,000 from the “San Pareil Water Service Securities Issuing Bylaw No. 1395, 2004” for the replacement of water main piping on Maple Lane be approved.

CARRIED

MOVED Director Chase, SECONDED Director Holme, that the San Pareil Water Service Area five year financial plan be amended to reflect the following property tax rate changes:

2006	from 0% to 2.5%
2007	from 2% to 3%
2008	from 2.5% to 3%
2009	from 2.5% to 3%
2010	no change
2011	from 4% to 3%

CARRIED

Surfside Sewer Local Service Area Bylaw No. 1124.05 and Northern Community Sewer Local Service Area Bylaw No. 889.41 – Ally – 968 Surfside Drive – Area G.

MOVED Director Chase, SECONDED Director Westbrook, that “Regional District of Nanaimo Surfside Sewer Local Service Area Bylaw No. 1124.05, 2006” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Chase, SECONDED Director Holme, that “Northern Community Sewer Local Service Area Bylaw No. 889.41, 2006” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Pacific Shores Sewer Local Service Area Amendment Bylaw No. 1021.07 and Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.40.

MOVED Director Holme, SECONDED Director Bartram, that “Pacific Shores Sewer Local Service Area Amendment Bylaw No. 1021.07, 2006” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.40, 2006” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Fire Hydrant Use – Proposed Regulations & Rates Bylaw Amendment – Bylaws No. 619.12, 700.13, 1097.08, 1172.06, 1383.02, 1434.01, 1468.01.

MOVED Director Holme, SECONDED Director Young, that “Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.12, 2006” be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Young, that “Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.12, 2006” having received three readings be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Young, that "Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.13, 2006" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Young, that "Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.13, 2006" having received three readings be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Young, that "Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.08, 2006" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Young, that "Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.08, 2006" having received three readings be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Young, that "Regional District of Nanaimo San Pareil Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1172.06, 2006" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Young, that "Regional District of Nanaimo San Pareil Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1172.06, 2006" having received three readings be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Young, that Regional District of Nanaimo "Englishman River Community Water Supply Service Area Rates and Regulations Amendment Bylaw No. 1383.02, 2006" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Young, that Regional District of Nanaimo "Englishman River Community Water Supply Service Area Rates and Regulations Amendment Bylaw No. 1383.02, 2006" having received three readings be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Young, that Regional District of Nanaimo "Melrose Terrace Water Local Service Area Rates and Regulations Amendment Bylaw No. 1434.01, 2006" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Young, that Regional District of Nanaimo "Melrose Terrace Water Local Service Area Rates and Regulations Amendment Bylaw No. 1434.01, 2006" having received three readings be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Young, that Regional District of Nanaimo "NanOOSE Bay Peninsula Water Local Service Area Rates and Regulations Amendment Bylaw No. 1468.01, 2006" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Young, that Regional District of Nanaimo "NanOOSE Bay Peninsula Water Local Service Area Rates and Regulations Amendment Bylaw No. 1468.01, 2006" having received three readings be adopted.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Growth Monitoring Advisory Committee/State of Sustainability Project.

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held November 29, 2005 be received for information.

CARRIED

Intergovernmental Advisory Committee.

MOVED Director Holdom, SECONDED Director Holme, that the minutes of the Intergovernmental Advisory Committee meeting held November 17, 2005 be received for information.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Nanaimo Search and Rescue.

MOVED Director Bartram, SECONDED Director Holme, that staff be directed to prepare a report for the Board's consideration regarding the request for land by Nanaimo Search and Rescue.

CARRIED

NEW BUSINESS

Canada – BC Environmental Farm Program.

MOVED Director Holdom, SECONDED Director Manhas,:

1. That staff be directed to investigate and report to the RDN Board about a possible role for the RDN in supporting the Canada – BC Environmental Farm Program, and if the investigation is promising;
2. That staff be directed to invite the BC Agriculture Council to deliver a brief presentation about the Canada – BC Environmental Farm Program to the RDN Board.

CARRIED

ADMINISTRATOR'S REPORTS

Appointment of Bylaw Enforcement Officers.

MOVED Director Korpan, SECONDED Director Bestwick, that Herman Koolman, Al Dick, Jerry Schaefer, Blake Camp, Graham Barbour, Dave Millar, Drew Taylor and Al Paget be appointed as Bylaw Enforcement Officers for the purpose of enforcing Regional District of Nanaimo bylaws and regulations as set out pursuant to the provisions of Bylaw Enforcement Officers Bylaw No. 857, 1992.

CARRIED

Appointment of Building Inspectors.

MOVED Director Korpan, SECONDED Director Manhas, that Herman Koolman, Al Dick, Jerry Schaefer, Blake Camp, Graham Barbour, Dave Millar, Drew Taylor and Al Paget be appointed as Building Inspectors for the purpose of enforcing Regional District of Nanaimo bylaws and regulations.

CARRIED

Bylaw Enforcement Officers Amendment Bylaw No. 857.02.

MOVED Director Holme, SECONDED Director Korpan, that "Regional District of Nanaimo Bylaw Enforcement Officers Amendment Bylaw No. 857.02, 2006" be given 1st, 2nd and 3rd reading.

CARRIED

MOVED Director Holme, SECONDED Director Korpan, that "Regional District of Nanaimo Bylaw Enforcement Officers Amendment Bylaw No. 857.02, 2006" be adopted.

CARRIED

2006 AVICC Resolution – E & N Pest Management Plan.

MOVED Director Bartram, SECONDED Director Johnston, that the following resolution be forwarded to the 2006 AVICC Convention for support as follows:

E & N Pest Management Plan.

WHEREAS the Province has refused the request from the Regional District of Nanaimo and other local governments and residents in proximity to the E & N Railway to reject the 2005 Pest Management Plan for the E & N Railway;

AND WHEREAS there are many aquifers that provide both individual and community water sources of drinking water and drainage courses that cross and run parallel to the rail line that may be contaminated from the use of chemical sprays proposed to be used to control vegetation along the E & N Railway;

THEREFORE BE IT RESOLVED that the Province be advised that the AVICC opposes the use of chemical sprays to control vegetation along the E & N Railway and requests that the Minister of Environment intervene to set aside the Pest Management Plan for the E & N Railway right-of-way or otherwise amend the legislation that permits this practice.

CARRIED

Vancouver Island Biosphere Centre.

It was noted that Director Biggemann and the Chief Administrative Officer met with the Vancouver Island Biosphere Centre regarding their request for funding and a report will be brought forward for the Board's consideration.

Electoral Area 'B' Parks & Open Space Advisory Committee.

MOVED Director Sperling, SECONDED Director Bartram, that Marylyn Beaubien, Tom Cameron, Barric Innes and Kerry Marcus be appointed to the Electoral Area 'B' Parks & Open Space Advisory Committee for a term ending December 31, 2007 and John Buttrick and Adrian Thomson be appointed to the Electoral Area 'B' Parks & Open Space Advisory Committee for a term ending December 31, 2006.

CARRIED

IN CAMERA

MOVED Director Holme, SECONDED Director Korpan, that pursuant to Section 90(1)(g) of the *Community Charter* the Board proceed to an In Camera meeting to consider legal matters.

CARRIED

ADJOURNMENT

MOVED Director Westbrook, SECONDED Director Holdom, that this meeting adjourn to allow for an In Camera meeting.

CARRIED

TIME: 8:24 PM

CHAIRPERSON

DEPUTY ADMINISTRATOR

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL BOARD MEETING
HELD ON TUESDAY, FEBRUARY 14, 2006, AT 7:51 PM
RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director B. Johnston	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director B. Bestwick	City of Nanaimo
Alternate	
Director L. Sherry	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
N. Connelly	General Manager of Community Services
J. Finnie	General Manager of Environmental Services
J. Llewellyn	Manager of Community Planning
M. Pearse	Manager of Administrative Services
N. Avery	Manager of Financial Services
N. Tonn	Recording Secretary

CORPORATE SERVICES

ADMINISTRATION

Crime Prevention, Community Justice and Community Safety Support Services.

MOVED Director Westbroek, SECONDED Director Bartram, that "Regional District of Nanaimo Crime Prevention and Community Justice Support Service Bylaw No. 1479, 2006" be introduced for first three readings, be forwarded to the municipalities of Parksville and Qualicum Beach for consent, be forwarded to the Ministry of Community Services for approval and proceed through the alternative approval process to obtain assent of the electors in Electoral Areas 'E', 'F', 'G' and 'H'.

CARRIED

MOVED Director Westbrook, SECONDED Director Biggemann, that the Notice of Elector Response Form attached to this report, be approved for the purpose of the alternative approval process for Bylaw No. 1479 within Electoral Areas 'E', 'F', 'G' and 'H'.

CARRIED

MOVED Director Westbrook, SECONDED Director Biggemann, that a Select Committee to be known as the District 69 Community Justice and Safety Support Services Select Committee be established with one Director from each jurisdiction in District 69 as a member and that the Draft Terms of Reference be forwarded to the select committee for review and confirmation.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Area 'G' Parks & Open Space and District 69 Recreation Commission Appointments.

MOVED Director Bartram, SECONDED Director Westbrook, that Aileen Fabris be appointed to the Electoral Area 'G' Parks and Open Space Advisory Committee for a term ending December 31, 2007 and that Jo-Ann Chase be appointed to the District 69 Recreation Commission for a term ending January 1, 2009.

CARRIED

Area 'C' East Wellington/Pleasant Valley Parks & Open Space Advisory Committee.

MOVED Director Young, SECONDED Director Holme, that Robert Jepson be appointed to the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee for a term ending December 31, 2006 and Bruce Erickson be appointed to the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee for a term ending December 31, 2007.

CARRIED

Flood Plain Bylaw Fee.

MOVED Director Bartram, SECONDED Director Johnston, that the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at its upcoming convention:

Flood Plain Bylaw Fee

WHEREAS a regional district is not able to recover costs associated with the processing of an application for a site specific exemption to a flood plain bylaw adopted under Section 910 of the *Local Government Act*;

AND WHEREAS the *Local Government Act* does not include a provision for a regional district to charge a fee for processing an application for a site specific exemption to a flood plain bylaw;

THEREFORE BE IT RESOLVED that AVICC request the provincial government to amend the *Local Government Act* so that regional districts can charge a fee for processing an application for a site specific exemption to a flood plain bylaw.

CARRIED

ADJOURNMENT

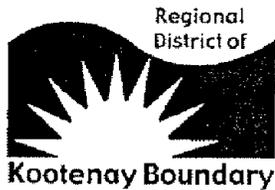
MOVED Director Holme, SECONDED Director Bartram, that this meeting terminate.

CARRIED

TIME: 8:00 PM

CHAIRPERSON

DEPUTY ADMINISTRATOR



REGIONAL DISTRICT OF NANAIMO			
CHAIR	✓	GM Cms	✓
CAO	✓	GM ES	✓
DA CCD	✓	MCF	✓
FEB - 7 2006			
<i>Board Communication</i>			

January 31, 2006

Local Government Members
 Union of British Columbia Municipalities

Dear Members:

RE: VOTING RULES

Attached is a resolution passed by the Board of Directors of the Regional District of Kootenay Boundary related to non-resident election voting rights.

The Kootenay Boundary, like many other areas of the Province, has many areas where a significant portion of the population actually reside in other parts of the Province (i.e., recreation property owners). There are times when we struggle to balance the right to vote with the fair and efficient operation of voting opportunities.

We would ask that the Province expand the potential use of mail balloting to include non-resident electors. This will ensure the convenience of exercising the right to vote without unduly interfering with the efficient operation of voting opportunities.

Our resolution will be going to our Area Association for their consideration. We would ask that you consider a similar resolution at your Area Associations.

Thank you for your consideration.

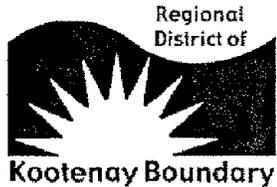
Sincerely,

"Gord DeRosa"

Gord DeRosa, Chair
 Regional District of Kootenay Boundary

GD:cd
 Attachment





REGIONAL DISTRICT OF KOOTENAY BOUNDARY

Mail Ballots

WHEREAS non-resident property electors may not have the means to attend a voting opportunity within the jurisdiction as resident electors do;

AND WHEREAS Section 100 of the Local Government Act allows mail ballots to those electors who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity;

NOW THEREFORE BE IT RESOLVED that the Regional District of Kootenay Boundary Board of Directors request the Provincial Government to amend the Electors and Elections legislation in the Local Government Act to allow all eligible electors the opportunity to vote by mail ballot in elections and other voting opportunities **AND FURTHER** that this resolution be forwarded to the A.K.B.L.G. for their support.



RECEIVED
FEB 22 2006
REGIONAL DISTRICT
of NANAIMO

February 20, 2006

Regional District of Nanaimo Planning Department
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

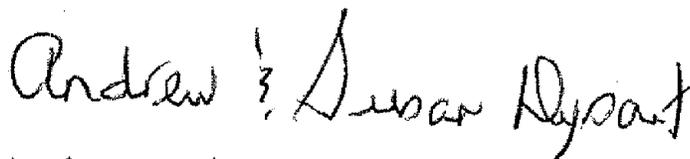
Re: Notice of Variance to Development Permit Application No.
60604.

Dear Sirs:

We would like to express our negative vote to relax the maximum dwelling unit height.

The height restrictions were put in place for reasons and we believe that there is not a need in this case to increase height.

Yours truly,



Andrew and Susan Dysart
Occupants of 2250 Coventry Place
Nanoose



REGIONAL DISTRICT OF NANAIMO		
CHAIR	GM Cms	
CAO	GM ES	
DA CCD	MoF	
FEB 20 2006		
Braid		

MEMORANDUM

TO: Bob Lapham
Deputy Administrator

DATE: February 20, 2006

FROM: Jason Llewellyn
Manager of Community Planning

FILE: 3360 30 0415

SUBJECT: Bylaw Amendment Bylaw No. 500.308, 2005
Wessex Enterprises Ltd. / Addison
Electoral Area 'C' Midora and Extension Road

PURPOSE

To consider "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.308, 2005" for adoption.

BACKGROUND

The purpose of this amendment bylaw is to rezone the parcel legally described as Parcel Z (DD K83923), Section 13, Range 1 and Sections 12 and 13, Range 2, Cranberry District from Rural 6 subdivision district 'V' (RU6V) to Extension Rural Residential Comprehensive Development Zone 19 (CD19) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." The rezoning is to facilitate the subdivision of nine residential parcels for which the average overall parcel size derived from the parent parcel is 2.0 hectares (*see Attachment No. 1*). As part of this application, the removal of an existing coal pile on the property has been addressed. The property is located adjacent to Midora Road and Extension Road in the Extension Area of Electoral Area 'C' (*see Attachment No. 1 for location of subject property*).

Bylaw No. 500.308 was introduced and given 1st and 2nd reading on Tuesday, April 26, 2005. This was followed by a Public Hearing held on Thursday, June 30, 2005. Third Reading was given on July 26, 2005, along with direction, the conditions outlined in Schedule 1 are to be secured or completed by the applicant prior to Board consideration of adoption of the Bylaw.

In staff's opinion, the applicants have adequately met or secured the conditions outlined in Schedule No. 1 of this report. Covenants that secure conditions 1-5 have been signed by the applicants and are in the hands of the Regional District solicitors and are in the process of being registered on title. It is noted that condition 4 has been secured in the Section 219 covenant by prohibiting subdivision of the lands until the agreement is entered into. The City of Nanaimo has confirmed that all of their issues have been addressed. There are no plans for the removal of the coal pile at this time; therefore, item number seven cannot be confirmed by the applicant at this time. Staff do not consider this to be a critical issue.

ALTERNATIVES

1. To adopt "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.308, 2005."
2. To not adopt "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.308, 2005."

VOTING

Electoral Area Directors - one vote except Electoral Area 'B'.

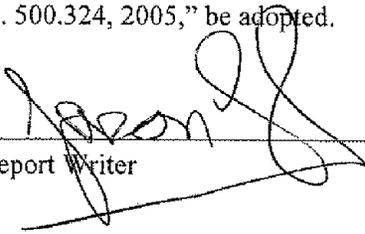
SUMMARY

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.308, 2005," was introduced and given 1st and 2nd reading on Tuesday, April 26, 2005. This was followed by a Public Hearing held on Thursday, June 30, 2005. Third Reading was given on July 26, 2005, along with direction, the conditions outlined in Schedule No. 1 are to be secured or completed by the applicant prior to Board consideration of adoption of the Bylaw.

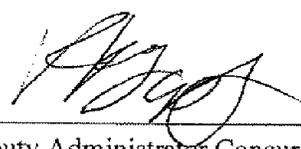
In staff's opinion, the condition in Schedule No.1 have been adequately completed or secured; therefore, it is recommended that the bylaw be adopted.

RECOMMENDATION

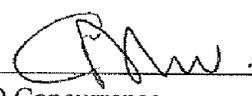
That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005," be adopted.



Report Writer



Deputy Administrator Concurrence



CAO Concurrence

COMMENTS:

devsvs/reports/2006/za fe 3360 30 0415 Wessex Enterprises Ltd. 4th Report

Schedule No. 1 (Page 1 of 2)
Conditions for Approval for
Zoning Amendment Application No. ZA0415
Amendment Bylaw No. 500.308
Parcel Z (DD K83923) Section 13, Range 1 and Sections 12 and 13, Range 2, Cranberry District

The following conditions are to be completed prior to consideration of Amendment Bylaw No. 500.308 for 4th reading:

All covenants are to be prepared and registered by the applicants to the satisfaction of the Regional District of Nanaimo (RDN). Draft covenant documents are to be forwarded to the RDN for review prior to consideration of 4th reading.

1. The registration of a section 219 covenant prepared and registered by the applicant to the satisfaction of the Regional District that secures the following:
 - a) That temporary access along the water main easement be secured for the Trans Canada Trail until the RDN takes possession of the option to purchase.
 - b) Geotechnical report as prepared by Robert Davies P.Eng. dated March 3, 2005, and any subsequent reports.
 - c) That the City of Nanaimo water mains located within Plan 38215 and Plan 2280 RW and a proposed drainage corridor be secured by easement or statutory right-of-way to the satisfaction of the City of Nanaimo.
 - d) Hours and days of operation for the removal of soil (coal) shall be limited to 7:00am to 6:00pm with no operation to occur on weekends or statutory holidays.
 - e) Maximum extraction of soil (coal) shall not exceed 250 cubic metres per day with a maximum of 25 round trips per day from the property.
 - f) Trucks used for hauling to have a maximum capacity of no more than 40 metric tons and are to be covered by tarpaulin.
 - g) A specific hauling route as agreed between the RDN and applicants is to be used and that a maximum speed limit shall be prescribed to the satisfaction of the RDN.
 - h) Dust control and noise abatement methods shall be prescribed to the satisfaction of the RDN.
 - i) Wheel wash system is to be maintained on site for the duration of the coal or soil hauling activity.
 - j) Leave strip buffer of at least 15 metres from top of bank or, as amended by development permit, shall be flagged.
 - k) No processing of soil (coal) is to occur on the property.
 - l) Lockable gated to be used on proposed haul route as prescribed to the satisfaction of the RDN.
2. The applicant shall enter into an agreement with the RDN that \$15,000 may be held by the RDN as security for the proposed reclamation. That security must be provided in a form acceptable to the RDN. Alternatively, a section 219 covenant may be registered on title restricting the removal of coal or soil from the subject property until such an agreement and security in the amount of \$15,000 is provided.
3. The registration of a section 219 covenant restricting that the subject property will not be subdivided in any form including a subdivision pursuant to the *Strata Property Act* unless the transfer of land, in the amount and location as shown on Schedule No. 2 as option to purchase area (minus any road dedication) to the Regional District to be used as park land, is completed concurrently with the subdivision. The covenant is to be prepared and registered by the applicants to the satisfaction of the Regional District.

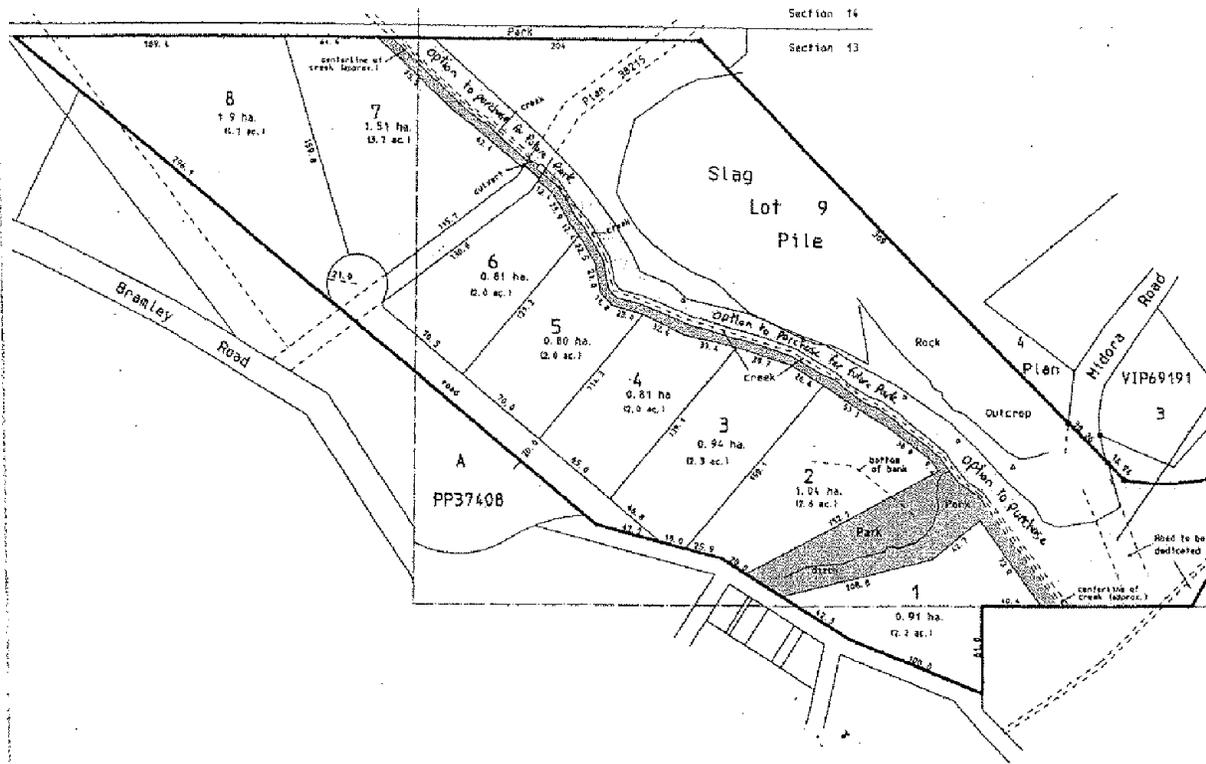
**Schedule No. 1 (Page 2 of 2)
Conditions for Approval for
Zoning Amendment Application No. ZA0415
Amendment Bylaw No. 500.308**

Parcel Z (DD K83923) Section 13, Range 1 and Sections 12 and 13, Range 2, Cranberry District

4. The applicants shall enter into an agreement with the RDN giving the Regional District of Nanaimo the right to purchase that portion of the subject property that was the old railway corridor and an area along Scannel Creek with a width approximately 15 metres for the sum of ten dollars Canadian (\$10) upon completion of the coal removal operation or within ten years of the date of agreement.
5. The property be included in the Building Inspection Services Area.
6. Confirmation from the City of Nanaimo that an exemption application for load restrictions on City roads has been approved or is not required.
7. Confirmation that the proposed location of the processing site conform to RDN bylaws.

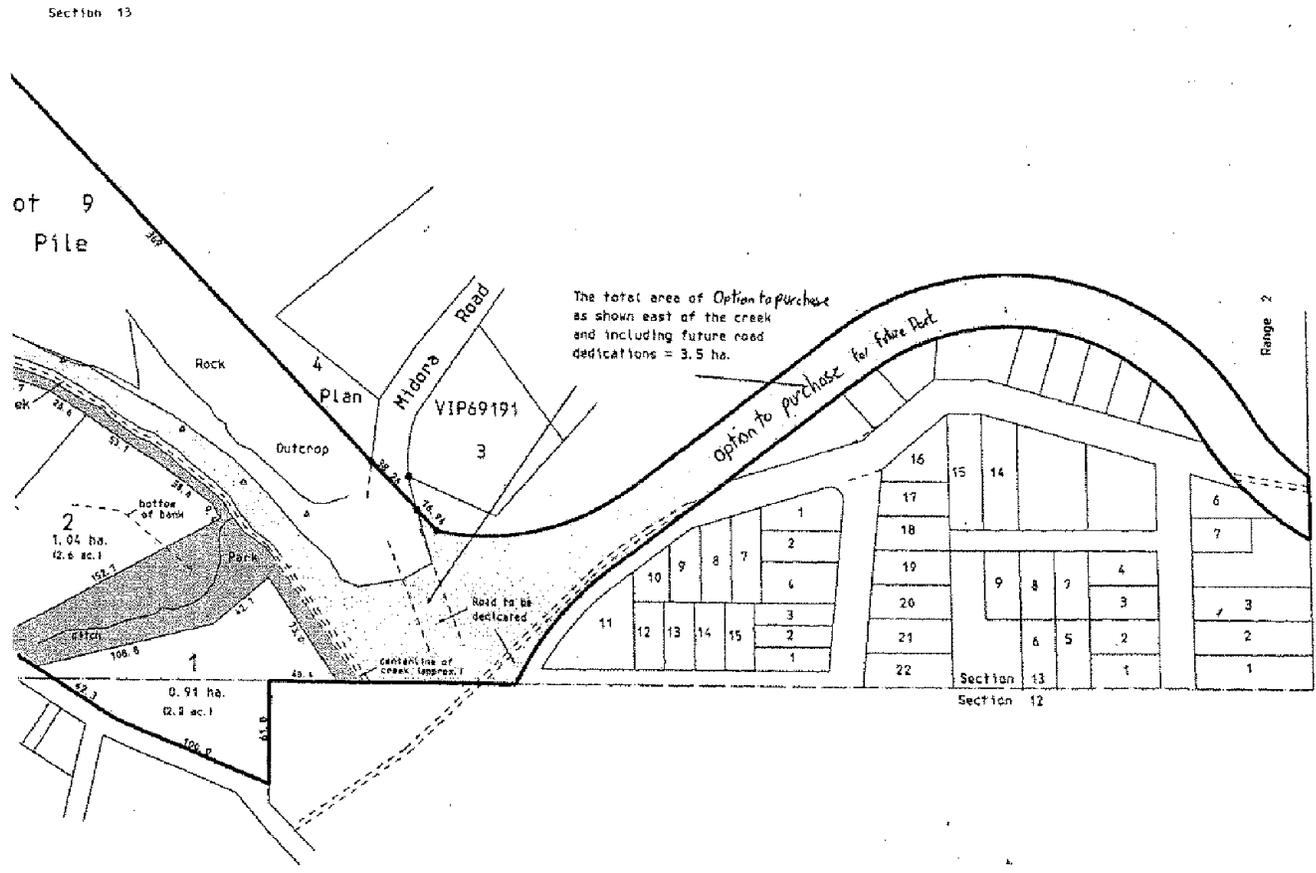
Schedule No. 2 (Page 1 of 2)
Proposed Plan of Development ZA0415
(as submitted by applicant /reduced for convenience)

West Portion

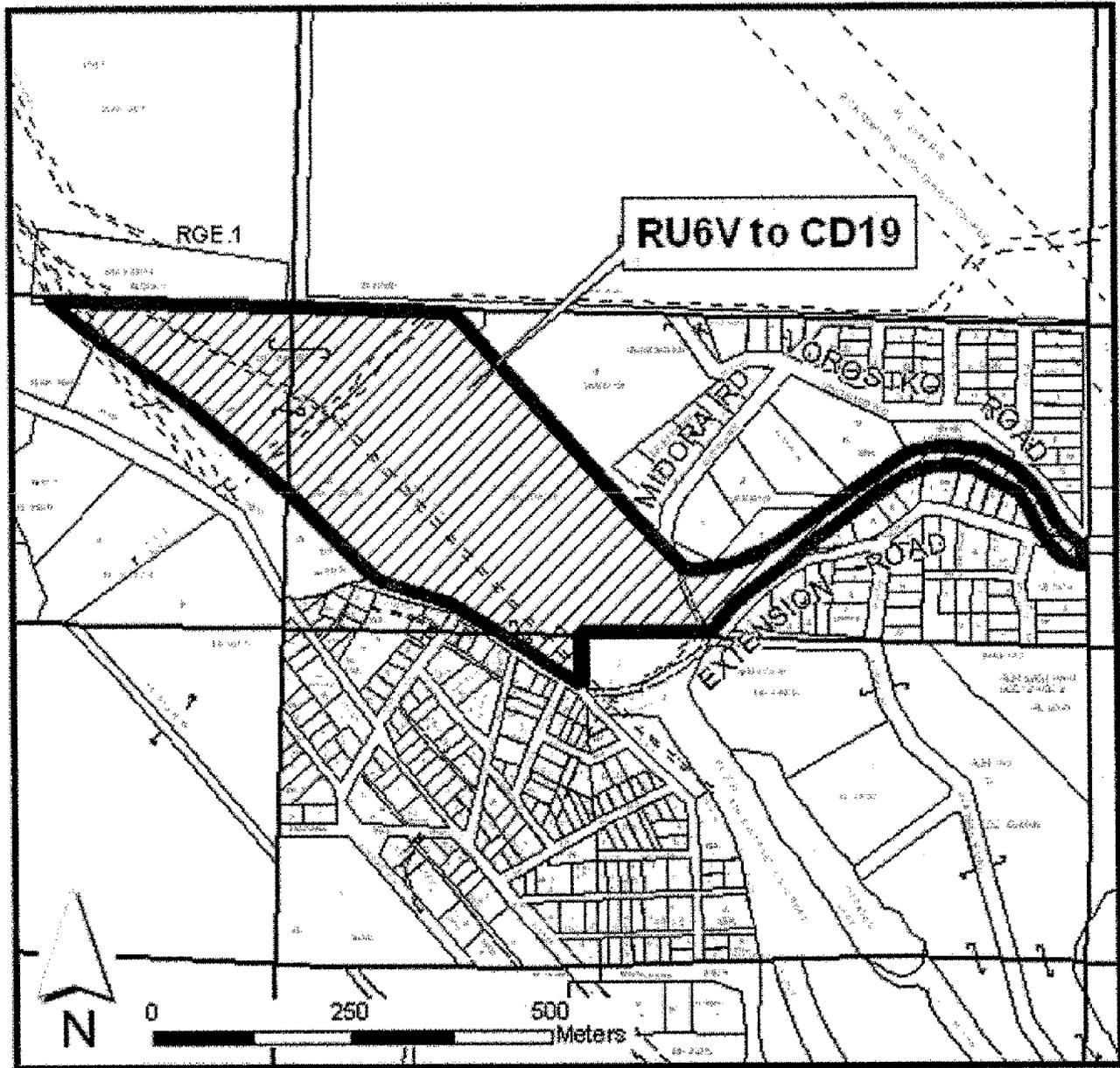


Schedule No. 2 (Page 2 of 2)
Proposed Plan of Development ZA0415
 (as submitted by applicant / reduced for convenience)

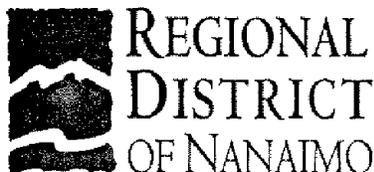
East Portion



Attachment No. 1
Location of Subject Property
ZA0415



BCGS Map Sheet No. 92G.011.1.1



REGIONAL DISTRICT OF NANAIMO		
CHAIR	GM Cms	
CAO	GM ES	
DA CCD	MoF	
FEB 16 2006		
<i>Board</i>		

MEMORANDUM

TO: Jason Llewellyn
Manager, Community Services

DATE: February 16, 2006

FROM: Paul Thompson
Senior Planner

FILE: 3360 30 0517

SUBJECT: Amendment Bylaw No. 500.324, 2005
Nanoose Bay Official Community Plan Implementation
Electoral Area 'E'

PURPOSE

To consider "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005" for adoption.

BACKGROUND

As the Board is aware, the Nanoose Bay Electoral Area 'E' Official Community Plan review process has been underway since early 2004. This process included extensive public consultation involving residents, property owners, stakeholders, as well as municipal, provincial, and federal agencies. This process also involved several open houses, community meetings, a government agencies' forum and the participation of community members in sixteen Working Group meetings. At a Special Board meeting held on June 14, 2005, the Regional Board granted 1st and 2nd reading of the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005." A Public Hearing on Bylaw No. 1400 was held on June 27, 2005, where approximately 300 residents attended. Bylaw No. 1400 received 3rd reading at the July 26, 2005, Regular Board meeting and was adopted on October 25, 2005.

A number of implementation action items are identified in the OCP bylaw. A report detailing the actions associated with amending Bylaw No. 500 in order to ensure its consistency with the OCP bylaw was received by the Regional Board at its Regular Board meeting on August 23, 2005.

At its Regular meeting on August 23, 2005, "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005" was received by the Regional Board, was granted 1st and 2nd reading, and was referred to a Public Hearing. The Public Hearing was held on October 13th 2005. On October 25th, 2005 the Report of the Public Hearing on Bylaw No. 500.324, 2005 was received and the Bylaw was referred back to staff with direction to consider possible amendments.

Based upon the public input received, two amendments to the bylaw were approved by the Board at its regular meeting on November 22, 2005. The amendments to the bylaw resulted in proposed restrictions on Bare Land Strata subdivisions and increasing the minimum parcel size for lands in the Agricultural Land Reserve being removed from the bylaw. The amended bylaw received an amended second reading and proceeded to the public hearing held on January 11, 2006. The Board then granted the Bylaw 3rd reading on January 24th, 2006.

ALTERNATIVES

1. To adopt "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005".
2. To not adopt "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005".

INTERGOVERNMENTAL IMPLICATIONS

As this zoning amendment included properties within 800 metres of a controlled access highway, it required the approval of the Ministry of Transportation. This amendment bylaw received approval by the Ministry pursuant the *Transportation Act* on February 2, 2006.

VOTING

Electoral Area Directors - one vote except Electoral Area 'B'.

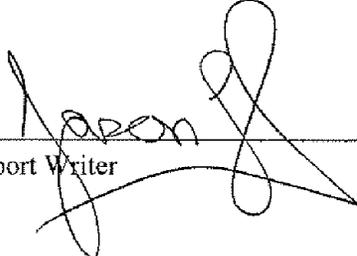
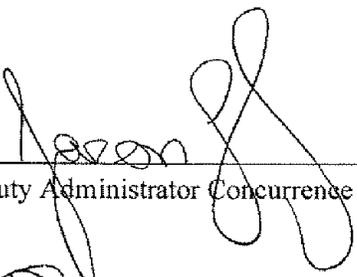
SUMMARY

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005" was given 1st and 2nd reading on August 23, 2005. The bylaw was also given amended second readings on September 20, 2005, and November 22, 2005. A first Public Hearing was held on October 13, 2005, and a second Public Hearing was held on January 11, 2006. The Bylaw was given 3rd reading on January 24, 2006, and received approval from the Ministry of Transportation on February 2, 2006. There were no Conditions of Approval as the zoning amendment was initiated by the Regional District of Nanaimo to implement some of the policies in the recently adopted "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005".

The following recommendation is provided for consideration by the Board.

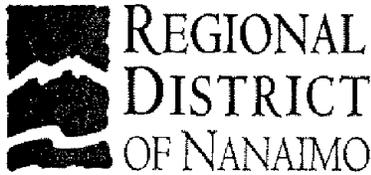
RECOMMENDATION

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.324, 2005", be adopted.

 _____ Report Writer	Acting	 _____ Deputy Administrator Concurrence
 _____ Manager Concurrence		 _____ CAO Concurrence

COMMENTS:

devsvs/reports/2006/za/je 3360 30 0517 EAE OCP Implementation Report to Board



REGIONAL DISTRICT OF NANAIMO		
CHAIR	GM Cms	
CAO	GM ES	
DA CCD	MoF	
FEB 21 2006		
<i>Board</i>		

MEMORANDUM

TO: Jason Llewellyn
Manager, Community Services

DATE: February 20, 2006

FROM: Paul Thompson
Senior Planner

FILE: 3360 30 0510

SUBJECT: Bylaw Amendment Application ZA0510 – Cedar Estates
Cedar and Hemer Roads, Electoral Area 'A'

PURPOSE

To receive the Summary of the Minutes and Submissions of the Public Information Meeting held on Monday, February 6, 2006, and further, to provide a brief summary and update on the status of the subject application.

BACKGROUND

The first Public Information Meeting was held on July 13, 2005. Bylaw No. 500.323, 2005 was introduced and given 1st and 2nd reading on August 23, 2005. There were a number of concerns raised by the community at the first Public Information Meeting. In response to these concerns, the applicant held a second Public Information Meeting on August 31, 2005. Further, upon consideration of the comments and feedback received at the second Public Information Meeting, the applicant also held an Open House on October 4, 2005, in order to receive further feedback on their amended development proposal.

The applicant presented the new proposal to the community at a third Public Information Meeting on February 6, 2006. The summary of the minutes and submissions of the third Public Information Meeting are attached for the Board's consideration (see Attachment 1). A Public Hearing for this application is scheduled for Wednesday March 8, 2006, at the Cedar Community Hall.

The purpose of this amendment bylaw is to rezone the properties legally described as 'Lot A, Section 14, Range 7, Cedar District, Plan VIP57874, Except Part in Plan VIP59634, VIP67432, and VIP76260 and Lot 6, Section 14, Range 1, Cedar District, Plan VIP59634, from Commercial 2 Subdivision District M (CM2M) to Comprehensive Development 29 (CD29) to facilitate a 55 lot single-family residential housing development and a seniors assisted living facility on the subject property.

The subject properties are located within the Cedar Village Centre as designated in the Area 'A' Official Community Plan. The subject properties are also located within the Urban Containment Boundary as designated in the Regional Growth Strategy.

ALTERNATIVES

1. To receive the Report containing the Summary of the Minutes and Submissions of the third Public Information Meeting.
2. To receive the Report containing the Summary of the Minutes and Submissions of the third Public Information Meeting and provide staff with further direction.

VOTING

Electoral Area Directors - one vote, except Electoral Area 'B'.

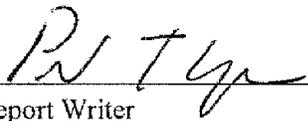
SUMMARY

The purpose of Bylaw No. 500.323, 2005 is to rezone the subject properties legally described as 'Lot A, Section 14, Range 7, Cedar District, Plan VIP57874, Except Part in Plan VIP59634, VIP67432, and VIP76260 and Lot 6, Section 14, Range 1, Cedar District, Plan VIP59634, from Commercial 2 Subdivision District M (CM2M) to Comprehensive Development 29 (CD29) to facilitate the development of a 55 lot residential subdivision and a seniors assisted living facility.

The bylaw was introduced and given 1st and 2nd reading on August 23, 2005; and due to a number of outstanding concerns raised by the community, a second Public Information Meeting was held on August 31, 2005. The applicant held an Open House on October 4, 2005, and a third Public Information Meeting was held on February 6, 2006. The Report of the third Public Information Meeting is attached for the Board's information. The Public Hearing is scheduled for March 8, 2006.

RECOMMENDATION

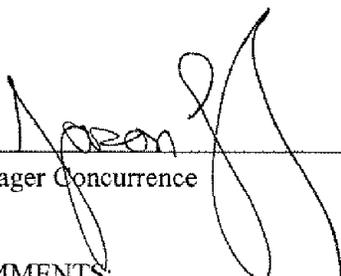
1. That the Report of the third Public Information Meeting containing the Summary of Minutes and Submissions of the Public Information Meeting held on February 6, 2006, for "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.323, 2005" be received.



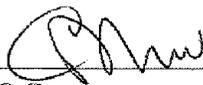
Report Writer



Deputy Administrator Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:
devsvs/reports/2006/za fe 3360 30 0510 Cedar Village Estates Report

Attachment 1

Proceedings of the Public Information Meeting

**Report of the Public Information Meeting
Held at Cedar Community Hall
2388 Cedar Road, Cedar, BC
February 6, 2006 at 7:00 pm**

**SUMMARY OF THE MINUTES ON THE PROPOSED ZONING AMENDMENT FOR
LOT A, SECTION 14, RANGE 1, CEDAR DISTRICT, PLAN VIP57874, EXCEPT PART
IN PLANS VIP59634, VIP67432 AND LOT 6, SECTION 14, RANGE 1, CEDAR
DISTRICT, PLAN VIP59634**

Note: this summary of the meeting is not a verbatim recording of the proceedings, but is intended to summarize the comments of those in attendance at the Public Information Meeting.

There were approximately 100 persons in attendance.

Present for the Regional District:

Director Joseph Burnett, Electoral Area 'A', Meeting Chair
Jason Llewellyn, Manager of Community Planning
Wayne Moorman, Manager of Engineering and Subdivision Standards
Paul Thompson, Senior Planner

Present for the Applicant:

John Morgan, Applicant
Robyn Kelln, Applicant
Robert Boyle, RBA Architecture Inc., Agent for applicant
Bob Hoffstrom, McElhanney Engineering, Agent for applicant
Russ Irish, McElhanney Engineering, Agent for applicant

Director Burnett, Chair opened the meeting at 7:05 pm and outlined the agenda for the evening's meeting. The Chair then stated the purpose of the public information meeting and requested staff to provide background information concerning the proposed zoning amendment. Jason Llewellyn provided a brief outline of the applicant's proposal to amend the zoning from CM2 to a CD zone to facilitate a 55 lot single family residential housing development and a seniors assisted living facility on the subject property. Wayne Moorman then provided information on proposed servicing for the development.

Following staff's presentation, the **Chair** invited Robert Boyle, agent for the applicant to give a presentation on the details of the proposal. Mr. Boyle outlined that the current proposal was consistent with the OCP policies for the area. The applicants believe that the site is better suited to residential uses rather than commercial uses. Mr. Boyle described the components of the proposed development including the single family lots and the seniors' assisted living facility.

Russ Irish then proceeded to provide information on the water, sewer, drainage and roads in the proposed development.

David McFadden, 1614 Cedar Road, asked what the current zoning was and what the permitted uses were.

Jason Llewellyn, read out the permitted uses in the C2 zone.

Karen Lister, 1957 Burchell Road, stated that the development will not be a seniors complex, it would only be available for people over age of 85, and that it would be very expensive. She said the sewer system will be developed regardless of this development. She said that they were told by people in the community that there would not be sidewalks or street lighting and that the RDN cannot look after the sidewalks and must get approval from Victoria. New residential development is not going to help existing development, and she wants the zoning to stay commercial.

Robert Boyle, said the supportive housing would be for seniors and noted that there is a demand for 800 such units in central Vancouver Island right now. He noted that the government subsidizes the rest. The facility is not government run but government provides funding.

Margaret Fredrich, 2798 Cedar Road, said she supports the proposal as this type of housing is needed in the community. Housing for seniors and small family lots are needed and this site is a good location. The facility will provide employment and places for young families to live.

Chris Potvin, 2120 Hemer Road, said that many promises are being made and he wanted to what open space is being provided? He said he believes commercial or recreational to be a better use of the property and does not support high density in the Village Centre. He said Hemer Road is not adequate to handle the traffic. He said there should be more public input.

Chair Burnett, explained that the PIM is the public input process, and that this was the third PIM held in addition to two additional meetings arranged by the developer.

Robert Boyle, noted that site coverage can only be 30%, the parking for the seniors facility will be underground, while the coverage for commercial can be 50% plus parking leaving no open space.

Russ Irish, said that Hemer Road is substandard and narrow now and that this development would improve both Cedar and Hemer Roads. Improvements will be made to bring the sewer into the area and that this is new infrastructure paid for by the new users.

Rick Smith, 2175 Blue Jay Way, asked if any written submissions were received. He then provided several more written submissions. He then questioned the Director's support for the project and noted that the OCP should be reviewed again to identify where commercial uses should be located. He asked where the commercial development should be.

Jason Llewellyn, said that commercial development is acceptable, according to the Official Community Plan, within the Village Centre area.

Wanda Best, 1850 Woobank Road, said she is in favour of the development and asked how long it would take to complete.

Russ Irish, said that if the zoning was approved the subdivision could be completed within one year.

Thea Vandenberg, 2214 Blue Jay Way, said she was concerned about children walking on Hemer and Woobank Roads. She wants to keep the commercial zoning as she is concerned about the condition of the roads in Cedar.

Chair Burnett, said that he has requested RDN staff to set up a meeting with Ministry of Transportation.

Julie Wilson, 2212 Hemer Road, said there is only a volunteer fire department and this development would create a need for more fire protection. She said she wants to see ½ acre lots; wants to keep Cedar Rural; and wants more commercial. She questioned the capacity that will be left after everyone hooks up. She was concerned that once sewer is in the whole area will develop.

Dawn Burnett, 2520 Pylades Drive, she was on the OCP committee and the Village Centre was put in the OCP because of a desire to keep the rest of Cedar rural. She noted that there are many ½ acre subdivisions all over Cedar which continue despite OCP policies. She said she is in favour of the current proposal and noted this will be a lost opportunity to get sewer if this project does not go ahead.

Janelle Park, 1821 Cedar Road, asked where the water will drain after the development is built. She questioned the timing of the traffic studies and suggested that the RDN needs to play a more active role regarding roads. She asked when the assisted living facility will be built and noted that she was opposed to the project because more commercial is needed in Cedar.

Russ Irish said that now most of land drains to north into York Lake, and after the development all drainage from development will go towards York Lake. He also described the traffic study methods.

Robert Boyle said that no client are yet identified for the assisted living facility but the need for these facilities has been identified by VIHA and when it comes time to develop the facility a call for proposal will be sent out.

Brad Green, 2139 Hemer Road, said he did not receive a notice. He said that development must go somewhere but this site is not suitable for the proposed development as the lots are too small.

Ed Binnersley, 1879 Sterling Drive, said he likes large lots and does not want to live next to small lots.

Ms. Hartman, asked if it was private property and what it was zoned for. She said that the developer is only doing this to make money. She said she wanted the land left undeveloped.

Chair Burnett, explained that the OCP was developed by and for the community, that it includes a vision for the community, and that this proposal is consistent with that vision.

Anna Fennel, 1305 Gervais Road, said that there is a proposed 500 lot development within the City of Nanaimo adjacent to Cedar by the Sea. She asked about the impacts of this development on sewer, water, and roads. She asked if any assurances have been provided by the City of Nanaimo regarding the sewage treatment plant.

Wayne Moorman said he had no knowledge of the proposed development in the City. He noted that the sewage treatment plant is located within the city of Nanaimo but operated by the RDN.

June Johnston, 2175 Hemer Road, questioned the timing of the traffic study and suggested that it should have been done in the summer.

Marcia Miller, Seabird Road, said that Director Burnett was in favour of the project. She also noted that Cedar Road is a dangerous road and there are many traffic accidents.

Chair Burnett, explained that he has provided information on the project to the community because he wants the community to have the correct information and he has not stated that he supports the project.

Hank Aarsen, questioned the density permitted in the OCP, asked if there was enough water, and asked if the seniors home is being used as a carrot to attract support. He also asked if properties that border the new sewer line have to pay a parcel tax.

Jason Llewellyn, explained the OCP policy and the proposed density.

Wayne Moorman, explained the sewer service area and that only those who want it will be paying for it. No one will be forced to pay for this sewer extension if they don't want it.

Bob Hoffstrom confirmed that there is enough water right now for the next ten years including this development without a new well.

Patti McPhee, Hemer Road said that the community should have looked to see if the area roads could handle traffic before designating it for higher density in the OCP. She said that she cant let them walk on the roads because they are dangerous.

Chair Burnett agreed that the roads are in poor shape, and he will be meeting with the Ministry of Transportation to see what can be done. This is an opportunity to express concerns to the developer.

Anonomous speaker questioned the wildlife values on the property.

David Potvin, 2120 Hemer Road, said he was not in favour, wants commercial use to stay; and provided a number of letters.

Jeff McPhee, Hemer Road, said he supports the development, and would rather see residential than commercial. He said he is glad that some improvements will be made to Hemer and Cedar

Roads, and if the development does not go ahead then no improvements will be made. He said that the community should direct its efforts on getting the roads improved, not objection to this proposal. The community should support the area director in getting the roads improved.

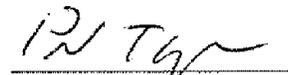
Robert Boyle, said that the proposed development is not a significant compared to what could occur. There has been a lot of public input, and the proposal has changed based on public input. Potential commercial uses could be much more unacceptable to the community

Chair Burnett asked for any further comments or questions.

Chair Burnett again asked for any further comments or questions.

Being none **Chair Burnett** thanked those in attendance and announced that the Public Information Meeting was closed.

The meeting concluded at 10.00 pm.



Paul Thompson
Recording Secretary

SUBMISSIONS

RDN

To whom it may concern,

I, Helen Edwards, of 2674 Barnes Rd.
am not in favour of re-zoning the
area of "Cedar Estates" corner of Cedar
& Hemer Rds., bordering Starling. Please
leave it as presently zoned-commercial.

Thanks for your consideration.

H. Edwards

Date: Feb 5, 06

As a resident of Electoral Area A, I do not want any zoning changes made to the current Official Community Plan.

Print Name: Sandra Bolt

Mailing Address: 2165 Holden Corso Rd.
Nanaimo B.C

Signature: Sandra Bolt

Date: Feb 5 06

As a resident of Electoral Area A, I do not want any zoning changes made to the current Official Community Plan.

Print Name: Bob Adams

Mailing Address: 2165 Holden corso Rd.
Cedar B.C

Signature: Bob Adams

Date: Feb 6 2006

As a resident of Electoral Area A, I do not want any zoning changes made to the current Official Community Plan.

Print Name: Don Evison

Mailing Address: 1623A

Woobank Rd Cedar BC

Signature: Don Evison

Date: Feb 6/06

As a resident of Electoral Area A, I do not want any zoning changes made to the current Official Community Plan.

Print Name: Robert McIntosh

Mailing Address: 1565 White Rd
Pedder B.C.

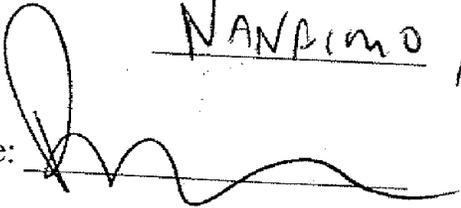
Signature: 

Date: FEB 5 2006

As a resident of Electoral Area A, I do not want any zoning changes made to the current Official Community Plan.

Print Name: DEREK & KELLY BOLLINGER

Mailing Address: 1626 CANIN RD
NANAIMO, Cedar

Signature: 

I'm saying No
to Re-ZONING

J. Johnston

Date FEB 6/06

AS A RESIDENT OF ELECTORIAL AREA A
I DO NOT WANT ANY ZONING CHANGES
MADE TO THE CURRENT COMMUNITY PLAN.

Dale Widdifield
2214 BLUE JAY WAY
NANAIMO B.C.

Page

226606

I oppose the rezoning for the
high density project NO! NO! NO!

Marsh Patterson

2031 Fern Rd

Date Jul 6/06

As a resident of Electoral Area "A",
I do not want any zoning changes
made to the current Community
Plan.

Ilea Vandenberg
2214 Blue Jay Way
Nanaimo, BC

Page |

Feb 6, 2006

Joe Burnett and RDN,

Janelle Parks and I addressed this a few years ago at a RDN meeting that everyone should be notified of any and all RDN meetings. I was getting my mailings except for this Feb 6th meeting.

I was told by Joe to contact Jason of the planning committee and was told the bylaw is only those within a 200m area receive notices. I told Jason I lived a few houses away from someone that got a letter and as I just live down the road I should have gotten mine as well. He again said only those in a 200m area, and that I know about the meeting so it doesn't matter.

Therefore I am requesting that the bylaw be changed to anyone receiving a garbage bill should be notified by mail of any and all meetings to do with their area, as anything being developed affects everyone.

**Thank You
Karen Lister
1957 Burchell Rd.**

I am against
rezoning in Cedar.

Alfred Perale
2176 Blue Jay Way

Feb 6/86

I Karen Lister of 195,
Burchell Rd says

NO to the rezoning

Karen Lister

6 FEBRUARY 2006

TO: R. D. Mc

FROM: DAVID MCFADDEN, 1616 CEDAR ROAD

RE: CEDAR ESTATES RE-ZONING APPL.

PLEASE BE ADVISED
THAT I AM NOT IN
FAVOR OF THE REZONING
APPLICATIONS OF THE SUBJECT
PROPERTIES KNOWN AS THE
CEDAR ESTATES DEVELOPMENT.



Feb 6, 2006

I say "no" to reasoning
as written by developer

Margaret Liso
1830 Meadow
Lark C

Ann.
09x166

Feb 6/06

To whom it may
concern:

I do not want
rezoning in Cedar

Thank you
Margaret Perala

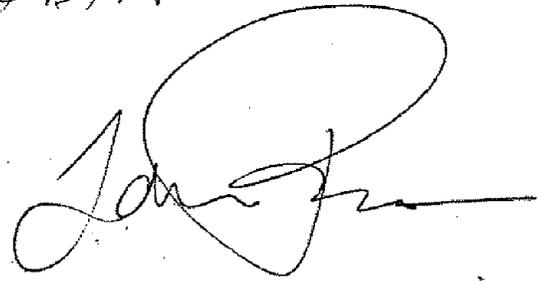
2176 Blue Jay
Way

Feb 4/06

I am opposed
to the proposed
rezoning in Cedar

Laura Smith
2175 Bluejay Way
Paradise, B.C.

I DON'T CARE
TO SEE THE
REZONING IN
CEDAR



1873 STARLING R.

CEDAR B.C.

I am dead
against Rejoicing
in Cedar

Rich Ditt

2175 BLUE JAY
WAS

I SAY NO TO
REZONING

Jack R. Handy

1869 STARLING RD.
CRESTER

I am Dead against
any ReZoning in
cedar

Edward Binnerley
1879 Starkey RD

I don't wish to have
rezoning in Cedar.

Shuley Binnersteley
1879 Starling Rd.

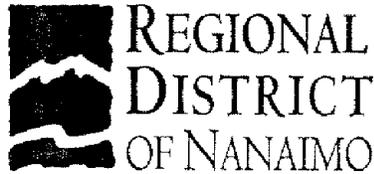
PLEASE PASS ALONG!

PLEASE PASS ALONG!
PLEASE PASS ALONG!

PETITION

We Oppose the Cedar Estates "High Density"
Development and want the the Zoning
to remain Commercial.

NAME	ADDRESS	Signature
Juliana Wilson	2212 Hemer Rd	[Signature]
Bob Wilson	2212 Hemer Rd	[Signature]
Janine Johann	2206 Hemer Rd.	[Signature]
Sheldine Sutin	2244 Hemer Rd	[Signature]
Cyril + Vera Dickens	1895 Wookbank RD	[Signature]
Lynn + Trevor Whitaker	2194 Hemer Rd.	[Signature]
ALH TONN	2200 HEMER RD	[Signature]
ARNIE HALLDARSON	2200 HEMER RD	[Signature]
Egon Eilers	1892 Wookbank RD	[Signature]
Tony Eilers	1892 Wookbank Rd	[Signature]
Conly Hf	2040 Grovers	[Signature]
Bill Hf	2040 Grovers	[Signature]
Lynbia Stephens	2369 GOWD RD	[Signature]
T. C. WILSON	2212 HEMER RD	[Signature]
Sue Laley	1693 Rugg Rd.	[Signature]
[Signature]	1693 Rugg Rd	[Signature]
[Signature]	2214 Blue Jay Way	[Signature]
CHRISTINA REYNEN	2214 BLUEJAY WAY	[Signature]
DALE WIDDIFIELD	2214 BLUEJAY WAY	[Signature]
THEA VANDENBERG	2214 BLUEJAY WAY	[Signature]
JOHN GOLDBE	2212 HEMER RD	[Signature]



REGIONAL DISTRICT OF NANAIMO	
CHAIR	GM Cms
CAO	GM ES
DA CCD	MoF
FEB 20 2006	
Board	

MEMORANDUM

TO: Jason Llewellyn
Manager, Community Planning

DATE: February 17, 2006

FROM: Greg Keller
Planner

FILE: 3360 20 0501

SUBJECT: Amendment Bylaw No. 500.327, 2006
Keith Brown & Associates on Behalf of Nanaimo Mini Storage
Electoral Area 'A' – 2180 South Wellington Road

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held on Monday, February 13, 2006, on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.327,2006," and further, to consider Bylaw No. 500.327, 2006, for 3rd reading.

BACKGROUND

Bylaw No. 500.327, 2006 was introduced and given 1st and 2nd reading on January 24, 2006. This was followed by a Public Hearing held on February 13, 2006. The summary of the minutes and submissions is attached for the Board's consideration (see Attachment No. 2).

The purpose of this amendment bylaw is to rezone the parcel legally described as Lot A, Section 11, Range 7, Cranberry District, Plan VIP76453 and located at 2180 South Wellington Road in Electoral Area 'A' (see Attachment No. 1 for location of subject property) from Residential 2 Subdivision District 'F' (RS2F) / Industrial 1 Subdivision District 'M' (INIM) to Comprehensive Development Zone 28 (CD28) in order to facilitate the future development of light industrial uses.

The applicant is in concurrence to meet a number of conditions of approval which are to be secured or completed prior to consideration of adoption of the bylaw. These conditions are outlined in Schedule No. 1 of this report.

ALTERNATIVES

1. To receive the Report of the Public Hearing and give 3rd reading to "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.327, 2006."
2. To receive the Report of the Public Hearing and deny "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.327, 2006."

FUTURE LAND USE IMPLICATIONS

The proposed uses include Light Industry, Manufacturing Use, Recreational Vehicle Sales and Storage, Residential Use, and Moving Truck and Moving Trailer Rentals. Staff are concerned with the visual impact of the proposed uses on the Trans Canada Highway Corridor and from the adjacent Residential 2 zoned properties on the west side of South Wellington Road. Therefore, the proposed zone requires all

uses to be fully contained indoors with the exception of the proposed Recreational Vehicle Sales and Storage and Moving Truck and Moving Trailer Rentals.

In addition, the proposed zone restricts the areas that the Recreational Vehicle Sales and Storage and Moving Truck and Moving Trailer Rentals may be located and requires them to be screened from view from adjacent properties and the Trans Canada Highway. A higher standard of landscaping than what is currently required by Bylaw No. 500 is proposed to be required adjacent to these outdoor uses.

In staff's opinion, the applicant has adequately addressed the aesthetic concerns related to this application and the proposed uses are supported by the Official Community Plan and are compatible with the surrounding uses. Therefore, staff recommends, that this application be approved to proceed to adoption subject to completion of the conditions as outlines on Schedule No. 1.

INTERGOVERNMENTAL IMPLICATIONS

Referrals were sent to the Ministry of Transportation, the Vancouver Island Health Authority, Ministry of Environment, and the Cranberry Volunteer Fire Department and as of the date of this report no negative comments have been received.

PUBLIC CONSULTATION IMPLICATIONS

Verbal submissions received at the Public Hearing are outlined in the Summary of the Minutes and Submissions of the Public Hearing (*see Attachment No. 2*).

LEGAL IMPLICATIONS

The process to draft and adopt "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006" is consistent with the requirements of the *Local Government Act*.

Should the Board want to make changes to the proposed amendment bylaw in response to the submissions made at the Public Hearing, an amended second reading and a second public hearing is required if these changes will change the land use, increase the density or, without the owner's consent decrease the density.

VOTING

Electoral Area Directors - one vote, except Electoral Area 'B'.

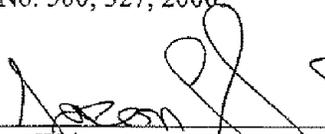
SUMMARY

The intent and purpose of this bylaw amendment is to rezone the subject property from Residential 2 Subdivision District 'F' (RS2F) / Industrial 1 Subdivision District 'M' (IN1M) to Comprehensive Development Zone 28 (CD28) in order to facilitate the future development of light industrial uses.

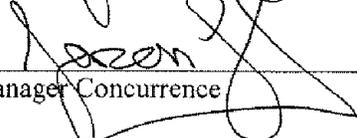
The bylaw was introduced and given 1st and 2nd reading on January 24, 2006 and preceded to Public Hearing on February 13, 2006. As the subject property is within 800 metres of a highway interchange, pursuant to the *Highway Act*, this amendment bylaw is subject to the approval of the Ministry of Transportation. The requirements set out in the Conditions of Approval are to be secured and/or completed by the applicant prior to the Board's consideration of the bylaw for adoption. Therefore, staff recommends that Bylaw No. 500.327, 2006 be considered for 3rd reading.

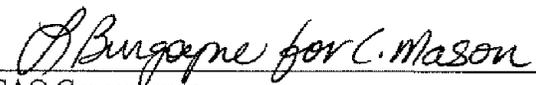
RECOMMENDATIONS

1. That the Report of Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held on February 13, 2006, on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.327, 2006" be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.327, 2006" be given 3rd reading and be referred to the Ministry Transportation for approval pursuant to the *Highway Act*.
3. That the conditions, as outlined in Schedule No. 1, be secured and/or completed by the applicant to the satisfaction of the Regional District prior to consideration of adoption of Bylaw No. 500, 327, 2006.


Report Writer


Deputy Administrator Concurrence


Manager Concurrence


CAO Concurrence

COMMENTS:

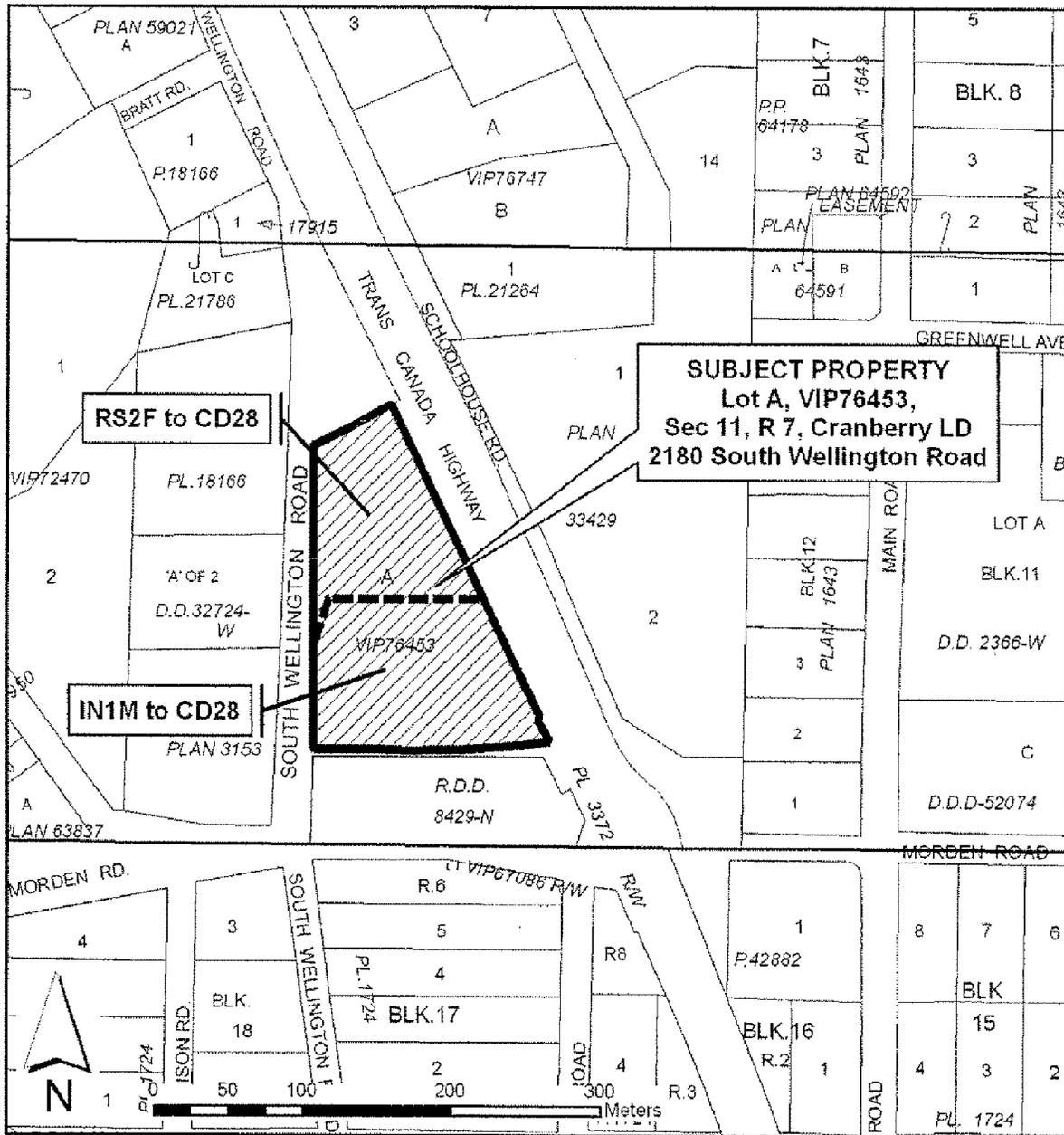
devsvs/reports/2006/za fe 3360 20 0501 Brown Nan Mini Storage 3rd Report

Schedule No. 1
Conditions of Approval
Zoning Amendment Application No. ZA0501
Lot A, Section 11, Range 7, Cranberry District, Plan VIP76453
2180 South Wellington Road

The following conditions are to be completed prior to consideration of Amendment Bylaw No. 500.327, 2006 for final reading:

1. The applicant shall, at their expense, and to the satisfaction of the Regional District, register on title a Section 219 covenant requiring the issuance of a Development Permit that includes the provision of landscaping in accordance with the landscaping plan submitted by the applicant under the above condition No. 1 prior to any use or development occurring on the portion of the property subject property currently zoned residential.
2. The applicant shall, at their expense, and to the satisfaction of the Regional District, register on title a Section 219 covenant restricting the placement of streamers, banners, or pennants on the subject property.
3. Applicant to submit written proof indicating that all conditions imposed by the Ministry of Transportation in the letter dated May 18, 2005 and any subsequent requests have been satisfied.
4. All equipment storage, truck parking, and other uses not permitted by the current or proposed zoning shall be removed from the subject property at the applicant's expense.

Attachment No. 1
Location of Subject Property



BCGS Map Sheet No. 92G.001.4.3

Attachment No. 2

REGIONAL DISTRICT OF NANAIMO

**Report of the Public Hearing
Held at Cranberry Community Hall, 1555 Morden Road, South Wellington, BC
February 13, 2006 at 7:00 pm
To Consider**

**Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.327, 2006
Summary of Minutes and Submissions**

Note that these minutes are not a verbatim recording of the proceedings, but summarize the comments of those in attendance at the Public Hearing.

PRESENT:

Joe Burnett
Paul Thompson
Greg Keller

Chairperson, Director, Electoral Area 'A'
Senior Planner
Planner

There were 12 persons in attendance.

The **Chairperson** called the Hearing to order at 7:00 p.m., introduced those present at the head table, and outlined the procedures to be followed during the Hearing.

The **Planner** provided an outline of the Bylaw including a summary of the proposal.

The **Chairperson** called for formal submissions with respect to Bylaw 500.327, 2006.

Robert McLure, 2149 South Wellington Road spoke to his concern with the proposed landscaping adjacent to South Wellington Road. Mr. McLure stated that he would like to see landscaping to hide the trucks and other items from his property. Mr. Clure also indicated that he was concerned with the impacts on the value of his property. Mr. McLure finished by indicating that he supports the maintenance of the mature trees adjacent to South Wellington Road, but is concerned that the undergrowth is not adequate to screen the proposed use.

Maggie Vandwaes, 2000 Waring Road, spoke in support of the application and indicated that the proposed uses are an improvement to the area.

The **Chairperson** called for further submissions.

The **Chairperson** stated that one letter has been received in support of the application.

The **Chairperson** called for further submissions for the second time.

The **Chairperson** called for further submissions a third and final time.

There being no further submissions, the Chairperson adjourned the Hearing at 7:10 p.m.

Certified true and accurate this 14th day of February 2006.

Greg Keller
Recording Secretary

Director Joe Burnett
Chairperson, Electoral Area 'A'

SAFETY

The property lies within the floodplain of the Englishman River and is prone to flooding. Geotechnical Reports prepared by Lewkowich Geotechnical Engineering Ltd. determine that the risk is acceptable provided the following conditions are met:

- Installation of a pedestrian crossing over the scour channel to provide an improved access route to the parking lot (a development permit and building permit may be required).
- The access from the southwest should be the principle access route.
- Development of an evacuation plan.
- Posting of signage advising users of the flooding risk.
- Adherence to Scouts Canada requirements and regulations for Category 2 (yellow) conditions.

The Scouts have indicated that they shall ensure these conditions are met. As a condition of final approval, a Section 219 Covenant is to be registered on the title in order to ensure that the recommendations related to the safe use of the site are understood by current and future property owners.

INTERGOVERNMENTAL IMPLICATIONS

Referral letters were sent to the City of Parksville and the Ministry of Transportation.

The City of Parksville indicate no objections to the proposed rezoning or the use of the access route by the Scouts and do not foresee imposing any restrictions to access in the future. However, the City of Parksville has indicated that they have no plans to upgrade the access.

VOTING

Electoral Area Directors - one vote, except Electoral Area 'B'.

SUMMARY

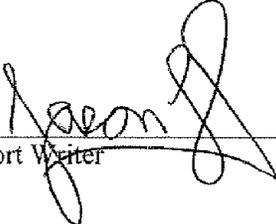
This is an application to rezone the subject property along the Englishman River from a Rural 1 (RU1) zone to a Recreation 1 (RC1) zone to allow the use of the site for camping and recreating by Scouts Canada. Scouts Canada agrees to the Conditions of Approval outlined in Schedule No. 1.

Please note that use of the land is limited to private use by Scouts Canada only, the vault privies are to be flood proofed and emptied regularly, and safeguards recommended by the Geotechnical Engineer are to be followed.

Bylaw No. 500.329, 2006, was introduced and given 1st and 2nd reading on January 24, 2006, and proceeded to Public Hearing on February 16, 2006. The requirements set out in the Conditions of Approval are to be secured and/or completed by the applicant prior to the Board's consideration of the bylaw for adoption. Therefore, staff recommends that Bylaw No. 500.329, 2006, be considered for 3rd reading.

RECOMMENDATIONS

1. That the Report of the Public Hearing containing the Summary of Minutes of the Public Hearing held on February 16, 2006, as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.329, 2006," be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.329, 2006," be given 3rd reading.
3. That the conditions, as outlined in Schedule No. 1, be secured and/or completed by the applicant to the satisfaction of the Regional District of Nanaimo prior to consideration of adoption of Bylaw No. 500.329, 2006.



Report Writer



Deputy Administrator Concurrence



CAO Concurrence

COMMENTS:

devsvs/reports/2006/za fe 3360 30 0520 Scouts Canada 3rd Reading Report

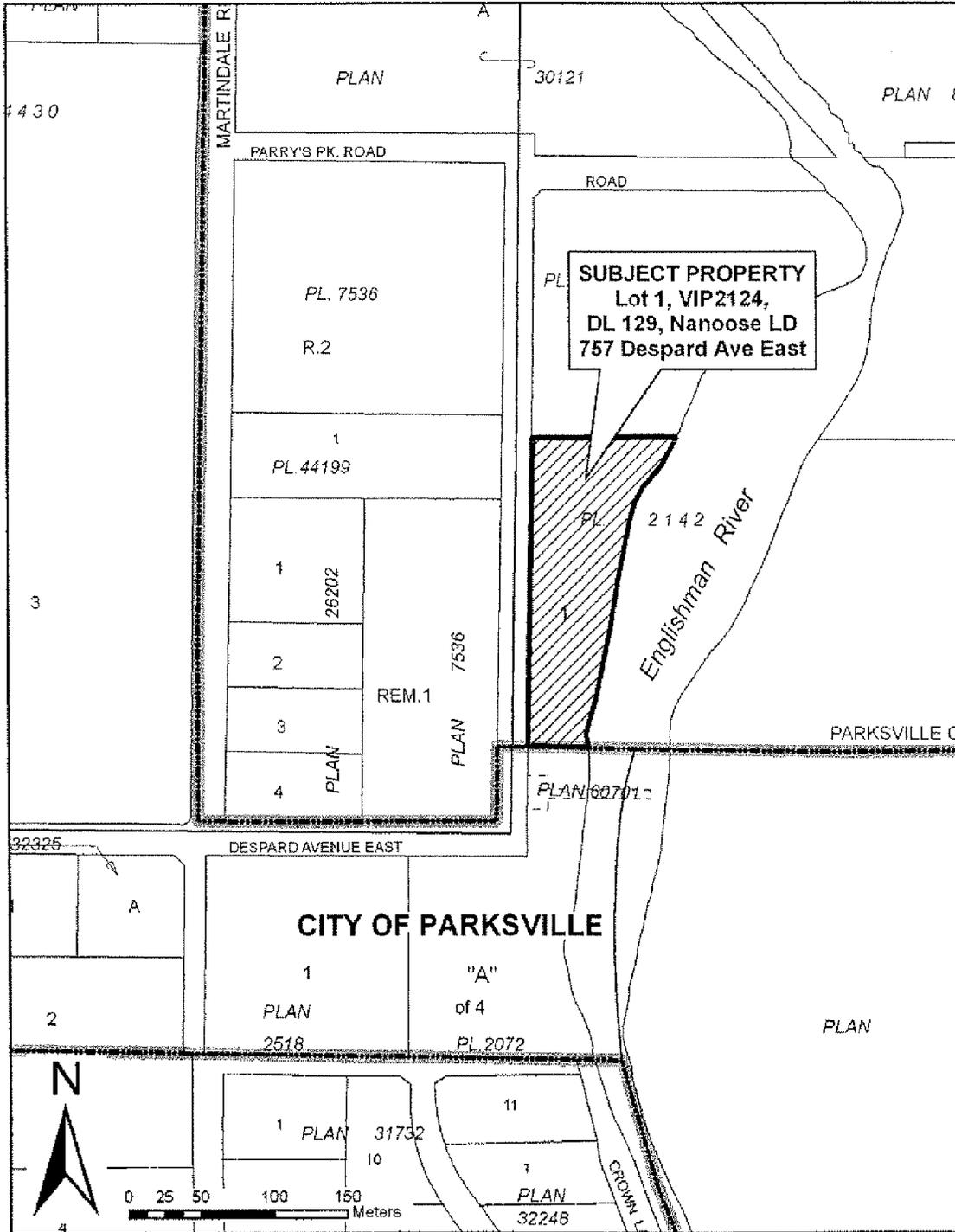
Schedule No. 1
Conditions of Approval
Zoning Amendment Application No. ZA0520
Lot 1, District Lots 128 and 129, Nanoose District, Plan 2142

The following conditions are to be completed prior to consideration of the Amendment Bylaw for adoption:

1. At the applicant's expense, the geotechnical report prepared by Lewkowich Geotechnical Engineering dated January 26th, 2005, and the addendum to that report dated December 16th, 2005, shall be registered on the Certificate of Title as a Section 219 Covenant prior to issuance of the building permit. This covenant must also indicate that the site is to be used only in accordance with the recommendations contained in the report.
2. A Restrictive Covenant saving the Regional District of Nanaimo harmless from any action or loss that might result from hazardous conditions and acknowledging the flood risk associated with the existing construction and use of the property.
3. Applicant to provide a copy of the access permit from the Ministry of Transportation.
4. At the applicant's expense, and to the satisfaction of the Regional District, the applicant shall register on title a section 219 covenant restricting the use of the subject property to camping and other recreational uses associated with scouting, restricting development to the buildings, and features shown on Attachment No. 2 (*of Staff Report dated December 28, 2005*) restricting vegetation disturbance and tree removal to only that required to accommodate the development outlined in Attachment No. 2, and requiring any sewage holding tank(s) on site to be flood proofed and emptied each fall and/or when required.

Attachment No. 1
Zoning Amendment Application No. ZA0520
Lot 1, District Lots 128 and 129, Nanoose District, Plan 2142

Location of Subject Property



BCGS Map Sheet No. 32F 039.2.1

**Attachment No. 2
Zoning Amendment Application No. ZA0520**

REPORT OF THE PUBLIC HEARING

**HELD AT PARKSVILLE CONFERENCE AND COMMUNITY CENTER
132 EAST JENSEN AVENUE, PARKSVILLE, BC
THURSDAY FEBRUARY 20, 2006 AT 7:00 PM
TO CONSIDER BYLAW NO. 500.329, 2006**

SUMMARY OF THE MINUTES

Note: These minutes are not a verbatim recording of the proceeding but summarize the comments of those in attendance at the Public Hearing.

PRESENT:

Joe Stanhope, Regional District of Nanaimo Director of Electoral Area 'G'
Barry Johnston, Regional District of Nanaimo Director for the City of Parksville
Jason Llewellyn, Manager of Community Planning
Norma Stumborg, Planner

There were 7 people in attendance at the Public Hearing.

The Chair Joe Stanhope called the Public Hearing to order at 7:00 p.m., introduced those present, and outlined the procedures to be followed during the Hearing.

Manager of Community Planning Jason Llewellyn provided an outline of the Bylaw including a summary of the proposal. No submissions were received.

Don Levirs – 589 Martindale Road

Mr. Levirs requested clarification on the difference in uses between Rural 1 (RU1) and Recreation 1 (RC1) zoning.

Jason Llewellyn, Manager of Community Planning

Mr. Llewellyn outlined the permitted uses for both the RU1 and RC1 zones and explained that the proposed uses for the subject property will be further encumbered through a restrictive covenant that limits use to camping and other recreational uses associated with Scouting.

Don Levirs – 589 Martindale Road

Mr. Levirs expressed concern that the vault privies need to be flood-proofed or raised to avoid septic from entering the Englishman River. He stated that residents rely on the river for a source of potable water.

Mr. Levirs thanked the Scouts for him to use the walking trail on the property and stated that he supports the use of the land for Scouts Canada.

The Chair asked if there were any other comments or submissions with respect to Bylaw No. 500.329, 2006.

The Chair asked for a second time if there were any other comments or submissions.

The Chair asked for a third time and final time if there were any other comments or submissions.

Hearing none, the Chair thanked those in attendance and announced that the Public Hearing was closed.

The meeting concluded at 7:12 pm.

Certified true and accurate this 16th day of February, 2006.

Norma Stumborg
Recording Secretary

Director Joe Stanhope
Chairperson, Electoral Area 'G'



REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO	<i>BN</i>	GM ES	
DA CCD		MoF	
FEB 20 2006			
<i>Bowid.</i>			

MEMORANDUM

TO: Jason Llewellyn
Manager, Community Planning

DATE: February 20, 2006

FROM: Paul Thompson
Senior Planner

FILE: 3360 30 0522

SUBJECT: **Report of the Public Hearing - Bylaw No. 500.330, 2006**
Rondalyn Resort – 1350 Timberlands Road
Electoral Area 'C'

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held Wednesday, February 15, 2006, on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006," and further, to consider Bylaw No. 500.330, 2006, for 3rd reading.

BACKGROUND

Bylaw No. 500.330, 2006, was introduced and given 1st and 2nd reading on January 24, 2006. This was followed by a Public Hearing held on February 15, 2006.

The purpose of Bylaw No. 500.330, 2006, is to amend the existing CD13 zoning for the subject property (Attachment No. 1) to permit an additional 30 RV/camping spaces bringing the total number of spaces to 90. The waste disposal permit has been amended so that it is now based on total volume rather than the number of RV/camping spaces and an engineer has confirmed that the proposed use of the resort will meet the requirements of the waste disposal permit provided the ratio of year round versus seasonal spaces is changed to 10 and 80. No new development is being proposed and the bylaw amendment will legalize the total number of existing spaces. If the bylaw amendment is approved, an existing covenant on title must be amended to reflect the total number of spaces permitted in the bylaw.

The applicant has indicated that they agree to meet the conditions of approval which are attached as Schedule No. 1 of this report.

ALTERNATIVES

1. To receive the Report of the Public Hearing and give 3rd reading to "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006."
2. To receive the Report of the Public Hearing and deny "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006".

INTERGOVERNMENTAL IMPLICATIONS

Referrals were sent to the Ministry of Transportation and the Ministry of Environment. The Ministry of Transportation requested the applicant to submit an access permit application and confirm the location of buildings and drainage works. The applicant will be required to confirm that the conditions of the Ministry of Transportation have been completed.

PUBLIC CONSULTATION IMPLICATIONS

Notification of the Public Hearing on the proposed amendment bylaw was completed in accordance with the requirements of the *Local Government Act*. At the February 15, 2006, Public Hearing there were 12 people in attendance. A summary of the minutes of the Public Hearing are included in Attachment 2 as the Report of the Public Hearing. One written submission was received and is included as Attachment 3. Staff responded to the questions asked in the submission.

LEGAL IMPLICATIONS

The process to draft and adopt "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006" is consistent with the requirements of the *Local Government Act*.

Should the Board want to make changes to the proposed amendment bylaw in response to the submissions made at the Public Hearing, an amended second reading and a second public hearing is required if these changes will change the land use, increase the density or, without the owner's consent decrease the density.

VOTING

Electoral Area Directors - one vote, except Electoral Area 'B'.

SUMMARY

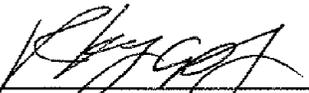
Bylaw No. 500.330, 2006, was introduced and given 1st and 2nd reading on January 24, 2006. This was followed by a Public Hearing held on February 15, 2006. The purpose of Bylaw No. 500.330, 2006, is to amend the existing CD13 zoning for the subject property to permit an additional 30 RV/camping spaces bringing the total number of spaces to 90. A condition of approval is to amend an existing covenant to recognize both the number of spaces permitted and the ratio of year round to seasonal spaces.

RECOMMENDATIONS

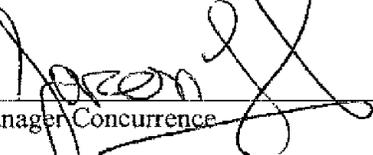
1. That the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held February 15, 2006, on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006," be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006," be given 3rd reading.
3. That the conditions, as outlined in Schedule No. 1 be completed by the applicant to the satisfaction of the Regional District prior to consideration of adoption of Bylaw No. 500.330, 2006.



 Report Writer



 Deputy Administrator Concurrence



 Manager Concurrence



 CAO Concurrence

COMMENTS:
 devsys/reports/2006/za fe 3360 30 0522 Rondalyn Resort 3rd Report

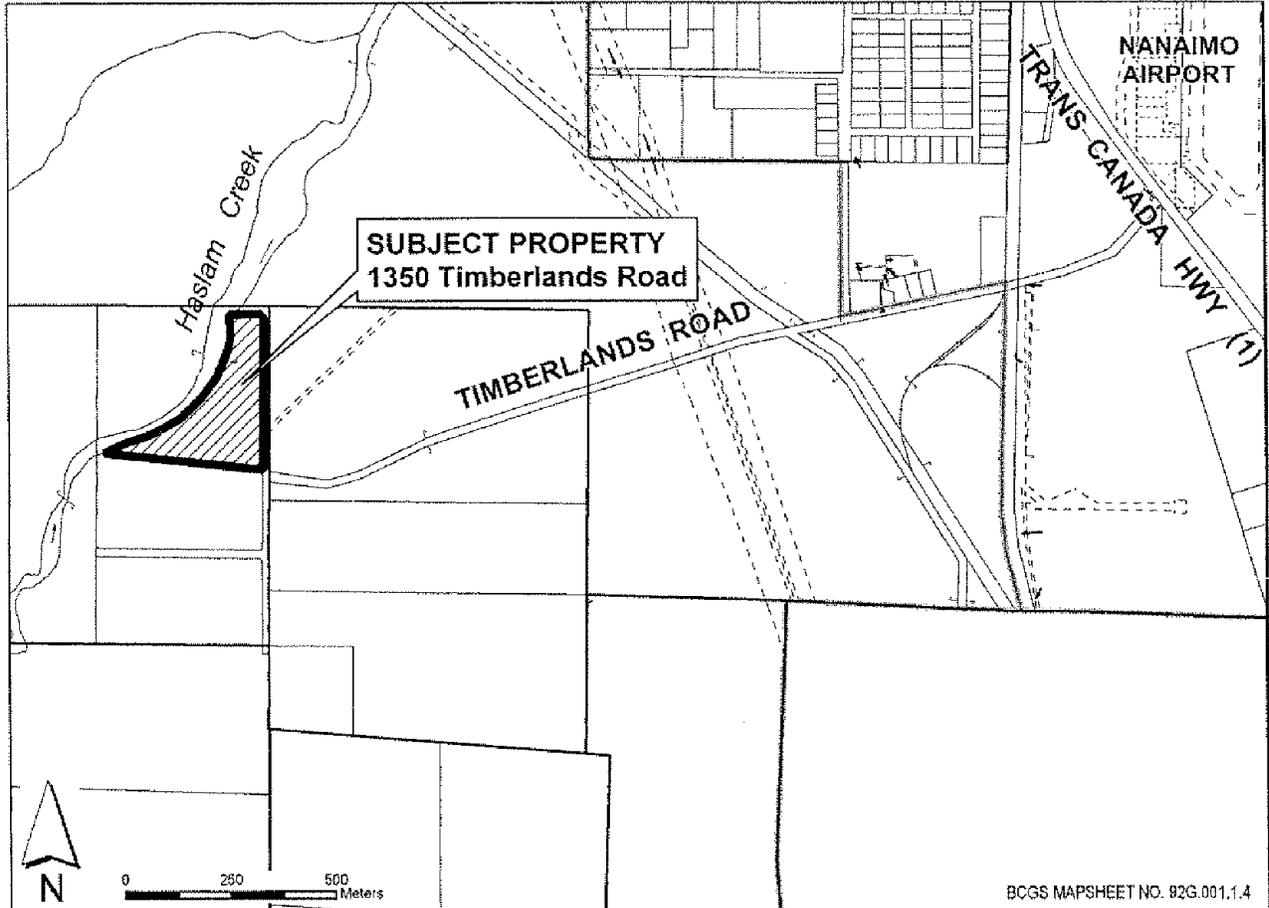
Schedule No. 1

**Conditions of Approval for Zoning Amendment Application No. ZA0522
Rondalyn Resort/Danron Holdings Ltd.**

The following conditions are to be completed prior to final reading of “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006”:

1. Amending Restrictive Covenant EX63612 that is currently registered on title as follows:
 - a. Changing Section 1(a) so that a total of 90 RV camping spaces, of which only 10 spaces may be continuously occupied for more than six months is permitted.
 - b. Removing Section 1(h)
2. Confirmation that the conditions as outlined in the January 17, 2006 letter from the Ministry of Transportation have been completed.

Attachment No. 1
Location of Subject Property



Attachment No. 2

REGIONAL DISTRICT OF NANAIMO

**Report of the Public Hearing
Held at Cranberry Community Hall, 1555 Morden Road, South Wellington, BC
February 15, 2006 at 7:00 pm
To Consider**

Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.330, 2006

Summary of Minutes and Submissions

Note that these minutes are not a verbatim recording of the proceedings, but summarize the comments of those in attendance at the Public Hearing.

PRESENT:

Maureen Young
Paul Thompson

Chair, Director, Electoral Area 'C'
Senior Planner

There were 12 persons in attendance.

The **Chair** called the Hearing to order at 7:00 p.m., introduced those present at the head table, and outlined the procedures to be followed during the Hearing.

The **Senior Planner** provided an outline of the Bylaw including a summary of the proposal.

The **Chair** called for formal submissions with respect to Bylaw 500.330, 2006.

The **Chair** called for further submissions.

The **Chair** read out the name and address of the written submission.

The **Chair** called for further submissions for the second time.

The **Chair** called for further submissions a third and final time.

There being no further submissions, the Chairperson adjourned the Hearing at 7:06 pm

Certified true and accurate this 17th day of February 2006.

Paul Thompson
Recording Secretary

Director Maureen Young
Chair, Electoral Area 'C'

Attachment No. 3

Written Submissions Received for Amendment Bylaw No. 500.330

Thompson, Paul

From: Laustsen, Denise
Sent: February 14, 2006 8:35 AM
To: Thompson, Paul
Subject: FW: bylaw no. 500.330,2006

-----Original Message-----

From: chris pagan [mailto:chris_pagan@hotmail.com]
Sent: February 13, 2006 8:43 PM
To: Laustsen, Denise
Subject: re: bylaw no. 500.330,2006

Dear Members of the Board, My name is Chris Pagan. I reside at 1550 Seabird Rd. in Cassidy. I just have a few inquiries regarding the proposed changes to the bylaw amendment for the property at 1359 Timberlands Road. As you know many of the residents on this property are year round and long term. Do the proposed sites represent camping or short term sites, or, are they to be long term sites for year round residents? My second question is about the septic system or treatment plant currently on site. Is this plant of sufficient capacity to handle the extra sewage, grey water, etc. that would be created from 30 more sites? I have no problem with the proposed change if the owner abides by the current bylaw and the ecosystem of nearby Haslam Creek is not compromised by the septic system or outdoor pool. I look forward to a reply to my inquiries. Yours sincerely, Chris Pagan

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, FEBRUARY 14, 2006, AT 6:30 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director D. Bartram	Chairperson
Director J. Burnett	Electoral Area A
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G
Director B. Johnston	City of Parksville

Also in Attendance:

J. Llewellyn	Manager of Community Planning
M. Pearse	Manager Administrative Services
W. Moorman	Manager of Engineering Standards & Subdivisions
N. Tonn	Recording Secretary

MINUTES

MOVED Director Stanhope, SECONDED Director Holme, that the minutes of the Electoral Area Planning Committee meeting held January 10, 2006 be adopted.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Amendment Application ZA0417 – Island Cash Buyers, on behalf of Integrated Land Management Bureau – Deep Bay Harbour – Area H.

MOVED Director Holme, SECONDED Director Stanhope,:

1. That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.332, 2006” to rezone the property from Water 1 Subdivision District ‘Z’ (WA1Z) to Water 2 Subdivision District ‘Z’ (WA2Z) in order to recognize a number of existing marina uses on the property be given 1st and 2nd reading.
2. That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.332, 2006” be approved to proceed to Public Hearing.
3. That the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.332, 2006” be delegated to Director Bartram or his alternate.

CARRIED

Amendment Application ZA0525 – Coulson – 161 Horne Lake Road – Area H.

MOVED Director Stanhope, SECONDED Director Biggemann,:

1. That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.328, 2006” to rezone the land from Residential 6 Subdivision District ‘D’ (RS6D) to Horne Lake Road Comprehensive Development Zone Subdivision District ‘Z’ (CD32Z) be given 1st and 2nd reading.
2. That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.328, 2006” be approved to proceed to Public Hearing, subject to the conditions identified in Schedule 1.
3. That the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.328, 2006” be delegated to Director Bartram or his alternate.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60559 – John Gantner –825 Flamingo Drive - Area G.

MOVED Director Stanhope, SECONDED Director Holme, that Schedule 1 of Development Permit Application No. 60559 be amended to add the following:

“Section 219 Covenant

- f) At the applicant’s expense and to the satisfaction of the RDN, the applicant shall register on title a Section 219 covenant that saves the RDN harmless from any legal action or loss that may result from flooding, and includes the geotechnical report prepared for the property.”

CARRIED

MOVED Director Stanhope, SECONDED Director Holme, that Development Permit Application No. 60559, to allow the replacement of an existing dwelling with a new dwelling and vary the maximum dwelling unit height in the Residential 2 (RS2) zone from 8 metres to 9.5 metres, be approved according to the terms outlined in Schedule No. 1 as amended, and subject to the Board’s consideration of comments received as a result of public notification.

CARRIED

Development Permit Application No. 60602 – Gorenko – 721 Barclay Crescent North – Area G.

MOVED Director Stanhope, SECONDED Director Holme, that Development Permit Application No. 60602, to facilitate the replacement of an existing single-wide manufactured home with a double-wide manufactured home at 721 Barclay Crescent North, be approved according to the terms outlined in Schedule No. 1.

CARRIED

Development Permit Application No. 60604 – Dave Scott for 3536696 Canada Inc. - Area E.

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 60604, to site a new dwelling and vary the maximum dwelling unit height from 8 metres to 9.83 metres, be approved according to the terms outlined in Schedule No. 1 and subject to the Board’s consideration of comments received as a result of public notification.

CARRIED

Development Permit Application No. 60605 – Konitzki/Homes by Kimberly – 2590 La Selva Place – Area E.

MOVED Director Holme, SECONDED Director Biggemann, that Development Permit Application No. 60605 to allow for the construction of one single-dwelling unit and one accessory building be approved according to the terms outlined in Schedule No. 1.

CARRIED

OTHER

Request for Relaxation of the Minimum 10% Perimeter Requirement – Glencar Consultants Ltd., on behalf of T & M Gilchrist – Raines Road – Area A.

MOVED Director Burnett, SECONDED Director Young, that the request from Glencar Consultants, on behalf of the Gilchrists, to relax the minimum 10% frontage requirement for the proposed Remainder of Lot 1, as shown on the plan of subdivision of Lot 1, Section 18, Range 7, Cranberry District, Plan 20029 Except Parts in Plans 28748 and 28749 be approved subject to the conditions set out in Schedule No. 1.

CARRIED

Riparian Areas Regulation.

MOVED Director Holme, SECONDED Director Burnett, that the Electoral Area Planning Committee receive this report for information.

CARRIED

Floodplain Management Bylaw No. 1469.

MOVED Director Stanhope, SECONDED Director Biggemann,;

1. That “Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006” be introduced and read three times.
2. That “Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006” be adopted.
3. That the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at its upcoming convention:

Flood Plain Bylaw Fee

WHEREAS a regional district is not able to recover costs associated with the processing of an application for a site specific exemption to a flood plain bylaw adopted under Section 910 of the *Local Government Act*;

AND WHEREAS the *Local Government Act* does not include a provision for a regional district to charge a fee for processing an application for a site specific exemption to a flood plain bylaw;

THEREFORE BE IT RESOLVED that AVICC request the provincial government to amend the *Local Government Act* so that regional districts can charge a fee for processing an application for a site specific exemption to a flood plain bylaw.

CARRIED

Proposed Development Variance Permit, Development Permit with Variance and Floodplain Exemption Evaluation Guidelines.

MOVED Director Holme, SECONDED Director Stanhope,:

1. That the Board rescind Policy B1.5 – Development Variance Permit Application Evaluation Guidelines.
2. That the Board endorse as a policy, the Development Variance Permit, Development Permit with Variance and Floodplain Exemption Application Evaluation Guidelines attached as Schedule No. 1 to the staff report.

CARRIED

ADJOURNMENT

MOVED Director Holme, SECONDED Director Young, that this meeting terminate.

CARRIED

TIME: 6:46 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, FEBRUARY 14, 2006, AT 7:00 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director B. Johnston	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director G. Korpan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director D. Brennan	City of Nanaimo
Alternate	
Director L. Sherry	City of Nanaimo
Director J. Manhas	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
N. Connelly	General Manager of Community Services
J. Finnie	General Manager of Environmental Services
J. Llewellyn	Manager of Community Planning
M. Pearse	Manager of Administrative Services
N. Avery	Manager of Financial Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Sherry to the meeting and also introduced Paul Thompson, Senior Planner, who recently joined the Planning Department staff.

DELEGATION

Elin Ife, Lighthouse Country Business Association, re Proposed Qualicum Bay Arts & Cultural Centre.

Ms. Ife provided a short history of the Lighthouse Country Business Association including the vision statement and mandate for the development of the Qualicum Bay Arts and Cultural Centre and requested a letter of support for this project which will assist in their provincial funding application.

MINUTES

MOVED Director Holme, SECONDED Director Bartram, that the minutes of the Committee of the Whole meeting held January 10, 2006 be adopted.

CARRIED

COMMUNITY SERVICES

EMERGENCY PLANNING

Expansion of Coombs Hilliers Department Rescue Boundary.

MOVED Director Biggemann, SECONDED Director Westbrook, that the Regional District support the request from the CHFD to have PEP expand their current rescue boundary to the parking lot at Cathedral Grove.

CARRIED

Horne Lake Strata Corporation Application for Community Wildfire Protection Plan Provincial Funding.

MOVED Director Bartram, SECONDED Director Korpan, that the Home Lake Strata Corporation application for provincial funding under the Community Wildfire Protection Plan be approved, and that an agreement with the Strata Corporation be developed to provide assurance of payment of their project share.

CARRIED

RECREATION AND PARKS

Oceanside Tourism Association Agreement.

MOVED Director Holme, SECONDED Director Westbrook, that the Service Agreement with the Oceanside Tourism Association for a term of three years beginning January 1, 2006 and ending on December 31, 2008, be approved.

CARRIED

MOVED Director Westbrook, SECONDED Director Biggemann, that Director Holme be appointed to the Oceanside Tourism Association as the Board's representative.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Grants-in-Aid Policy.

MOVED Director Bartram, SECONDED Director Young,:

1. That a maximum limit of \$5,000 be established for a grant in aid under this program.
2. That the process for grant requests exceeding \$5,000 as outlined in this report be added to the policy.
3. That Grant-in-Aid Policy A1.28 be approved as presented.

CARRIED

Vancouver Island Biosphere Request for Study Funding.

MOVED Director Biggemann, SECONDED Director Westbrook, that the Board approve raising from District 69 members, a one time grant-in-aid in the amount of \$8,350 for the preparation of a business plan for the Vancouver Island Biosphere Centre with terms and conditions as outlined in Alternative 1 of the staff report.

CARRIED

DEVELOPMENT SERVICES

ENGINEERING

Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.12 – Davenham Road – Area E.

MOVED Director Holme, SECONDED Director Bartram,:

1. That Lot 3, Plan VIP31921, DL 137, Nanoose District be included in the Rural Streetlighting Local Service Area.
2. That “Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.12, 2006” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

ENVIRONMENTAL SERVICES

UTILITIES

Water Leak Policy.

MOVED Director Holme SECONDED Director Manhas, that “Adjustment for Water Leak Policy D1.1 February 14, 2006” be approved.

CARRIED

Pump and Haul Local Service Area Amendment Bylaw No. 975.42 – 7463 Industrial Way – District of Lantzville.

MOVED Director Haime, SECONDED Director Burnett,:

1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 1, District Lot 85, Wellington District, Plan 15245. (Industrial Road in the District of Lantzville).
2. That “Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.42, 2006” be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area ‘A’ Parks and Green Spaces Advisory Committee.

MOVED Director Burnett, SECONDED Director Korpan, that the minutes of the Electoral Area ‘A’ Parks and Green Spaces Advisory Committee meetings held November 17, 2005 and January 19, 2006 be received for information.

CARRIED

Nanoose Bay Parks and Open Space Advisory Committee.

MOVED Director Holme, SECONDED Director Manhas, that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held November 7, 2005 be received for information.

CARRIED

Electoral Area 'G' Parks and Open Space Advisory Committee.

MOVED Director Westbrook, SECONDED Director Holdom, that the minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held October 20, 2005 be received for information.

CARRIED

Electoral Area 'H' Parks and Open Space Advisory Committee.

MOVED Director Bartram, SECONDED Director Holdom, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held November 30, 2005 be received for information.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meeting held November 17, 2005 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the RDN apply for funding from the Province of BC Olympic/Paralympic Live Sites Program for the Ravensong Aquatic Centre Wellness Centre addition.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that \$10,000 in funding be allocated in the Regional District of Nanaimo's Five Year Financial Plan for 2006 to provide conceptual designs and drawings and for cost estimates for the Wellness Centre addition at the Ravensong Aquatic Centre.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the RDN, City of Parksville, Town of Qualicum Beach and School District 69 prepare a joint proposal in 2006 to apply for funding from the Province of BC Olympic/Paralympic Live Sites Program for the development of a track and field facility in the Oceanside area.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the minutes of the District 69 Recreation Commission meeting held January 26, 2006 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Johnston, that the Regional District participate in the City of Parksville and RDN Recreation and Parks reader board sign replacement project and grant application, and that \$10,000 from the District 69 Arena Function budget surplus be allocated in the 2006 Annual Budget for the Regional District's financial contribution to the reader board sign replacement project.

CARRIED

MOVED Director Bartram, SECONDED Director Johnston, that the Regional District endorse the Active Communities Initiative by registering Oceanside as an Active Community in the 20% Physical Activity Challenge, and that staff coordinate and implement the initiative with community partners on behalf of Oceanside residents.

CARRIED

Transit Business Plan Update Select Committee.

MOVED Director Holdom, SECONDED Director Brennan, that the minutes of the Transit Business Plan Update Select Committee meeting held January 26, 2006 be received for information.

CARRIED

MOVED Director Holdom, SECONDED Director Brennan, that the report on the District 69 Transit proposal be received for information.

CARRIED

MOVED Director Holdom, SECONDED Director Brennan, that the District 69 Transit Services proposal be submitted to public consultation and considered subject to BC Transit's cost sharing commitment and final Board review as part of the 2006 annual budget approval process.

CARRIED

MOVED Director Holdom, SECONDED Director Brennan, that staff be directed to review the formula for the allocation of costs among the transit participants.

CARRIED

Regional Hospital District Select Committee.

MOVED Director Westbrook, SECONDED Director Bestwick, that the minutes of the Regional Hospital District Select Committee meeting held January 30, 2006 be received for information.

CARRIED

MOVED Director Westbrook, SECONDED Director Holdom, that "Nanaimo Regional Hospital District (Phase II Completion) Capital Amendment Bylaw No. 127.02, 2006" be introduced for first three readings.

CARRIED

MOVED Director Westbrook, SECONDED Director Holdom, that "Nanaimo Regional Hospital District (Phase II Completion) Capital Amendment Bylaw No. 127.02, 2006" having received three readings be adopted.

CARRIED

MOVED Director Westbrook, SECONDED Director Holdom, that the Regional Board correspond with the Minister of Health seeking a review of the approach to cost sharing for health care capital within the Vancouver Island Health Authority.

CARRIED

Grants-in-Aid Advisory Committee.

MOVED Director Young, SECONDED Director Korpan, that the minutes of the Grants-in-Aid Advisory Committee meeting held February 6, 2006 be received for information.

CARRIED

Municipal Finance Authority.

The Chairperson announced that he will be putting forward his name for one of the two Municipal Finance Authority trustee appointments currently vacant.

Municipal Insurance Association.

Director Westbrook advised that he has been appointed Vice Chairperson to the Municipal Insurance Association.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Qualicum Bay Arts & Cultural Centre.

MOVED Director Bartram, SECONDED Director Brennan, that the Board provide a letter of support in principle for the Qualicum Bay Arts and Cultural Centre project.

CARRIED

NEW BUSINESS

BC Hydro Tree Removal.

The Chairperson noted that BC Hydro will be doing an inventory of hazardous trees along their major power lines in the Regional District and trees which are hazardous due to root rot or other causes will be removed.

ADJOURNMENT

MOVED Director Brennan, SECONDED Director Burnett, that this meeting terminate.

CARRIED

TIME: 7:50 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE DISTRICT 69 RECREATION COMMISSION REGULAR
MEETING HELD ON THURSDAY, FEBRUARY 16, 2006**

Attendance:

Frank Van Eynde
Reg Nosworthy
Jack Wilson

Patty Biro
Jo-ann Chase

Eve Flynn
Dave Bartram

Staff:

Tom Osborne

Marilynn Newsted, Recording Secretary

Absent:

Chris Burger

CALL TO ORDER

- 1 Chair Van Eynde called the meeting to order at 3:00 pm.

Chair Van Eynde announced the appointment of Jo-ann Chase to the District 69 Recreation Commission as the Electoral Area 'G' representative to replace Aileen Fabris. Aileen Fabris will remain as the representative on the Parks Advisory Committee for Area 'G'.

MINUTES

- 3 MOVED Commissioner Flynn, SECONDED Commissioner Biro, that the Minutes of the District 69 Recreation Commission Regular Meeting held on January 26, 2006, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

- 4 MOVED Commissioner Bartram, SECONDED Commissioner Wilson, that the correspondence from the Echo Players Society and the Oceanside Ebbitide Slo Pitch Ball Team regarding recreation grants be received.

CARRIED

FUNCTION REPORTS

- 5.1 Mr. Osborne reviewed the Function Reports for Ravensong Aquatic Centre, Oceanside Place, Recreation Coordinating and Regional Parks and Trail and Community Parks (EA 'E' – 'H') highlighting the following items:

- Just in the last few weeks staff at the Ravensong Aquatic Centre have noticed some tile displacement in the same area where tiles had been replaced a few years ago and where problems were experienced during the warranty period. Staff have tried to do a short term fix but will need to drain the pool to determine the exact problem. Draining the pool will lengthen the normal shut-down period from two to three weeks to one month. The extended shut down will have an impact on revenue generating programs and public admissions.
- Oceanside Place staff held a very productive meeting with R. G. Properties representatives, Don Lee and Leo Mariotto, to discuss completion of outstanding issues. Many items identified have been or are in the process of being completed by R. G. Properties and

Oceanside Place staff. Issues that are completed by Oceanside staff will be credited to the RDN and deducted from the final payment to RG Properties.

- Oceanside Place staff have been in discussion with a local television provider to secure a permanent fixture in the lobby to allow the public to view major sporting events. As the cost of the service was higher than expected the decision has been made to defer the purchase until 2007.
- The Parksville Community Park Reader Board Replacement Provincial grant for the project has been approved. The RDN will commit \$10,000 to the \$45,000 project along with the City of Parksville and the Parksville Beachfest Society.
- *The Active Living Guide* for Spring/Summer 2006 will be available to the public by mid-March.
- Spirit of BC Week was celebrated at each facility with special swim and skate sessions being offered to the public free of charge.
- A letter of support for the City of Parksville's Olympic/Paralympic Live Sites Program Grant Application for an all weather field development project has been forwarded to the City by the Manager of Recreation and Parks.
- Cathy MacKenzie will represent the Department on the local Spirit of BC Community Committee.
- The Home Lake Regional Park RFP has closed. The single proponent was Richard Varella of Island Pacific Adventure. Discussions between staff and Mr. Varella are taking place to shape a potential agreement. An interim agreement may be required if discussions are not completed before the deadline.

MOVED Commissioner Bartram, SECONDED Commissioner Nosworthy, that the Function Reports be received.

CARRIED

NEW BUSINESS

- 8.1 Mr. Osborne presented the District 69 Recreation Grants Program Review report to the Commission. The Commission discussed the report and agreed to amend the first recommendation within the report to better reflect and define the grant program.

MOVED Commissioner Bartram, SECONDED Nosworthy, that the District 69 Recreation Grants Program criteria be amended to exclude requests for repairs, maintenance or capital improvements to community operated buildings or halls.

CARRIED

MOVED Commissioner Bartram, SECONDED Commissioner Wilson, that staff develop a framework for providing facility based grants commencing in 2007, within the Electoral Area Community Parks function.

CARRIED

- 8.2 Commissioners Biro and Chase volunteered to attend the BCRPA Symposium in Vancouver, April 27 to 30, 2006.

COMMISSIONER ROUNDTABLE.

- 9 Commissioner Chase reported a master gardener has been hired to deal with the removal of hogweed in Area 'G'.

Commissioner Nosworthy reported a Health and Wellness Workshop will be held in March in Electoral Area 'F'. Anyone interested may call Commissioner Nosworthy for more information.

COMMISSIONER INFORMATION

- 10 Mr. Osborne reported that he has been requested by the BCRPA Board to have his name stand for President Elect in the upcoming elections. Mr. Osborne stated that, if elected, it will mean a three year time commitment starting in April 2006.

NEXT MEETING

The next meeting will be held Thursday, March 16, 2006, at Oceanside Place at 3:00 pm.

Frank Van Eynde



REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO	(JW)	GM ES	
DA CCD		MoF	
FEB - 8 2006			
COW			
		DATE	

MEMORANDUM

TO: Neil Connelly
General Manager of Community Services

February 7, 2006

FROM: Tom Osborne
Manager of Recreation and Parks

FILE:

SUBJECT: District 69 Recreation Grants Program Review

PURPOSE

To provide information and recommendations regarding the District 69 Recreation Grants Program criteria in regard to Electoral Area community halls and facilities.

BACKGROUND

District 69 Recreation Grants have been provided for and funded through the District 69 Recreation Coordinating Service Function since its inception in 1986. Grant applications have been reviewed and recommendations have been made by the District 69 Recreation Commission to the Regional Board. In addition to grants for program oriented initiatives totaling \$2,500, an amount of \$5,000 was also distributed annually to certain community hall associations and advisory groups within Electoral Areas 'E', 'F', 'G' and 'H' in the amount of \$1,250 to each Electoral Area. This funding envelope was not the subject of an application process and there were no restrictions on the use of the funds. It was understood that some of the funds were used to undertake improvements to the community buildings owned or operated under the umbrella of these associations.

In 2000, the funding support was re-incorporated as a grant program within the District 69 Recreation Coordinating Service budget. Combined with the existing funding noted above (\$7,500) the total made available for annual Youth Grants was \$42,500.

Since 2002 the funding envelope for grants has risen to a high of \$82,500 and now sits at a value of \$62,500 – half of which is targeted as “Youth Recreation Grants” and the balance supports “Community Recreation Grants”. All organizations seeking financial support, including the community halls and associations referenced earlier, now apply for grant support on an annual basis.

The Recreation Grants criteria have remained virtually unchanged since 2002. The criteria are broad so as to capture the greatest range of possible projects and programs. The District 69 Recreation Commission prioritizes projects depending on the number of applications and the available funding and makes recommendations of approval to the Regional Board. The Recreation Grants Program has been well received throughout the community and has served to provide enhanced opportunities for recreation services for residents throughout the Oceanside area.

Major projects that have been funded in recent years include:

- Laser boats for the Deep Bay Yacht Club youth sailing program (2000-2004 - \$14,200);
- Erik Goetzinger BMX race track development (2002-2004 - \$13,410);
- Ballenas Secondary School oval field improvement (2000-2001 - \$17,000);
- Arrowsmith Agricultural Association building improvement (2003 - \$8,850);
- Errington War Memorial Hall Association building improvement (2002-2005 - \$22,000);
- Arrowview Elementary School PAC playground development (2002-2005 - \$8,660); and,
- Oceanside Track and Field Club track improvement (2003-2005 - \$13,760).

Some Electoral Area organizations operating community halls have received funding from the Recreation Grants Program to make improvements to their facilities, recognizing that without the facilities some recreation services cannot be delivered directly within the Electoral Area. A recent application in the amount of \$5,000 was approved for such an application from the Errington War Memorial Hall Association. This application highlighted a possible inconsistency between the group of funding partners for this service and the role of providing capital funds for non-owned facilities. Given the structure of funding for regional or sub-regional services, staff recognize the potential issues related to the provision of Regional District financial support to facilities that it neither owns nor operates. Specifically, the Regional Board confirmed as a principle of cost sharing in services that where a facility base is not regionally owned or operated, costs will be shared for operations only. Grants to a community group or organization to provide a direct recreation type service fit these criteria, whereas grants for non-owned community halls and other facilities do not.

At the November 17, 2005 meeting of the District 69 Recreation Commission, the criteria for the Recreation Grants Program and the concern regarding applications for capital improvement funds were discussed. The District 69 Recreation Commission forwarded the following motion to the Regional Board, which approved it at its meeting held November 22, 2005:

“MOVED Commissioner Bartram, SECONDED Commissioner Burger, that the Commission review the criteria for the District 69 Recreation Community and Youth Grants Program for 2006.”

Staff have reviewed the program’s criteria and propose amending the Recreation Grant criteria as follows:

Add an additional clause under section 4

- 4 Funds may not be used for honorariums, wages or other professional fees.
Funds may not be used for repairs, maintenance or capital improvements to community halls and facilities.

A copy of the Recreation Grants Program including the application and criteria [with the proposed change] is attached as *Appendix I*.

To address the issue of potential funding for repairs, maintenance or improvements to capital facilities a proposed approach is to create a Facilities Grant Program under the Electoral Area Community Park function with funding beginning in 2007. As a consequence of adding community facility support to the Community Parks services, bylaw amendments would need to be brought forward to describe the broader scope of Community Park activities. New funds may also be needed to be requisitioned under an expanded Electoral Area Community Park and Facilities Grant function. The extent of any budget changes would be made in consultation with the Electoral Area Directors from ‘E’, ‘F’, ‘G’ and ‘H’ and would be effective for the 2007 budget year.

The amendments to the Recreation Grants criteria and the creation of separate Electoral Area Community Parks and Facilities Grant program(s) will add some complexity to grant program management. Further consultation with Electoral Area Directors will be undertaken in 2006 to determine the best model for receiving and reviewing Community Park and Facility grant applications under a new program.

ALTERNATIVES

1. To amend the District 69 Recreation Grants Program criteria to specifically exclude requests which relate to repairs, maintenance or capital improvements to facilities and to create an Electoral Area Community Park and Facilities Grants Program to address repairs, maintenance or capital improvements to facilities with funding beginning in 2007.
2. To make no change to the District 69 Recreation Grants Program criteria.

FINANCIAL IMPLICATIONS

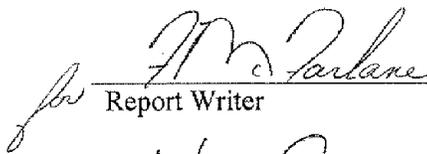
There are no budget implications to amending the Recreation Grant Program criteria.

SUMMARY

The District 69 Recreation Commission recommended reviewing the Community Recreation Grants Program criteria to address concerns and confusion regarding certain types of applications, specifically those for repairs, maintenance and capital improvements to facilities owned and operated by community associations. The Community Recreation Grants criteria set out since 2002 is deliberately broad so as to consider the widest range of program and community service needs. The program has been very successful over the past number of years, assisting many organizations to initiate a wide variety of recreation related projects. However, there is a discrepancy between the participant members for the District 69 Recreation Coordinating service and the use of grant funds for Electoral Area community facilities. Specifically, the Regional Board confirmed as a principle of cost sharing in services, that where a service is not regionally owned or operated, costs will be shared for operations only. Grants to a community to provide a direct recreation type service fit these criteria, whereas grants for non-owned community halls and other facilities do not. Staff believes that these concerns can be met by separating grants for Electoral Area community halls and other types of facilities from the Recreation Service and incorporating that aspect within a broadened Electoral Area Community Park service. This has the advantage of aligning community financial support for parks and community facilities directly to the community in which the facility is located. Further work will proceed with the Directors from Electoral Areas 'E', 'F', 'G' and 'H' to complete the outline of the financial scope and criteria for this separate grant program for 2007.

RECOMMENDATIONS

1. That the District 69 Recreation Grants Program criteria be amended to exclude requests for repairs, maintenance or capital improvements to facilities.
2. That staff develop a framework for providing facility based grants commencing in 2007 within the Electoral Area Community Parks function.


Report Writer


General Manager Concurrence


CAO Concurrence

COMMENTS

APPENDIX I

RECREATION GRANTS PROGRAM

NOTE: Please ensure you read all of the information provided before completing your application.

PROGRAM OBJECTIVE

To provide funds on a District-wide basis to organizations requesting financial assistance to offer recreation programs, special events or projects, which would benefit specific communities or the District as a whole; either youth specific (11-18 years) or to other populations.

BUDGET

Allocation of funding is reviewed each year by the staff and the District 69 Recreation Commission and approved by the Board of the Regional District of Nanaimo. Funding available is equally shared between two categories of grants, the Community Grants and the Youth Grants. Funding is disbursed at the Commission's discretion upon receipt of a completed Grants Program application to a maximum of \$2,500 per application and only after Regional Board approval. Larger disbursements may be considered at the Commission's discretion.

APPLICATION PROCESS

1. Submissions for grant applications are advertised and received on a tri-annual, seasonal basis in January, April and September of each year (dates may vary). Groups applying for grants **must** complete an application form, included with this package or may be picked up at **Oceanside Place** or the **Ravensong Aquatic Centre**.
2. Completed application forms clearly marked "**Recreation Grants Program**" and delivered in a sealed envelope are to be submitted to:

Attention: **Cathy MacKenzie**
Recreation Programmer - Community Development
RDN Recreation and Parks
830 West Island Highway
Parksville, BC V9P 2X4

ADMINISTRATION OF PROGRAM

1. A sub-committee of the District 69 Recreation Commission and Recreation and Parks staff will review and evaluate grant applications. Recommendations regarding successful grant recipients will be forwarded to the District 69 Recreation Commission and to the Regional Board for approval.
2. The sub-committee may disburse, each term, approximately 1/3 of the grant funding available; although, if deemed appropriate by the sub-committee, based on the nature of the proposal, larger expenditures, per term, may be recommended, as funds are available.
3. All applicants will be notified regarding approval status and, once approved; successful applicants will receive funding within 3 weeks of approval date.

4. The District 69 Recreation Commission will ensure that each community is generally, equitably represented throughout the year and that a wide range of grant recipients including recreation/parks, sports, arts and culture are represented in the selection process.
5. A follow-up process and evaluation procedure may be implemented depending on the nature of the project and as the Commission deems necessary. This process may require a report regarding the success of the project along with funding revenues and expenditures to be submitted within 60 days of project completion. Formal agreements may also be necessary depending on the nature of the application and if the Commission deems necessary.
6. Late submissions may or may not be considered at the discretion of the sub-committee depending on timing, priorities and available funding.

FUNDING CRITERIA

1. Grant funds will be considered for groups providing **recreation** services under any of the following categories:
 - new programs
 - expansion of current programs
 - leadership development
 - new or expanded special events
 - special projects
2. When selecting grants priority will be given to the following applications:
 - representative of District wide opportunities
 - representative of Electoral Area communities
 - offering services to a wide range and number of participants
 - gender equitable – accessible to both females and males
3. Only non-profit groups within District 69 qualify for funding.
4. Funds may not be used for honorariums, wages or other professional fees.

Funding is not available for repairs, maintenance or capital improvements to community halls and facilities.

5. Proposals must be unique in nature – not duplicating services already provided in the community unless a demand can be demonstrated.
6. It is recommended that groups identify a minimum of one other revenue source within their funding proposal other than the Regional District of Nanaimo.
7. Groups applying for more than one project or program may be considered depending on the availability of funding; however, groups may not apply for funding from both Community Grants and Youth Grants for the same proposal.
8. Projects receiving funding from the Regional District of Nanaimo Grants-In-Aid Program will not be eligible for additional funding from the Recreation and Parks Grants Program.
9. Groups may apply for funding each term and each year; however, funds are not guaranteed on a regular, on-going basis.



**RECREATION
GRANTS PROGRAM**

APPLICATION FORM
(Revised February 2002)

Please identify which grant category you are applying for:

COMMUNITY GRANTS

YOUTH GRANTS

Date of Application: (m/d/y) ___/___/___

Date Received: ___/___/___

A. ORGANIZATION INFORMATION

1. Name of Organization: _____

Address: _____

Postal Code: _____ Fax Number: _____

Phone Number(s): _____ Alternate: _____

2. Contact Name: _____

Address: _____

Postal Code: _____ Fax Number: _____

Phone Number(s): _____ Alternate: _____

3. Is your organization or your parent organization registered as a non-profit society in BC?

Yes _____ No _____

4. Is your organization capable of issuing a deductible receipt? Yes _____ No _____

B. PROGRAM / PROJECT INFORMATION

1. a) New Program / Project _____
b) Expansion/Enhancement of Existing Program / Project _____

2. Description / purpose of the program:

Please use the space on page 3 of this application form to detail the following information.
(If more space is needed please attach a separate sheet of information).

- Purpose
- Background
- Goals and objectives
- Type of project – activity, program, event, etc.
- Location of project
- Approximate number of participants to be served
- Ages of participants
- Any other relevant information

C. FINANCIAL INFORMATION

1. Amount requested: \$ _____

2. Specify, in general, how funds will be utilized:

3. Copy of specific program budget included? Yes _____ No _____

Give reason if no: _____

4. Copy of organization's financial statement included? Yes _____ No _____

Give reason if no: _____

5. What other effort is your organization undertaking to obtain other funds for this program / project?

6. Were any requests for funding granted? Yes _____ No _____

Granted by: _____

Please provide detailed budget information on page 4 of this application including the following information:

- all costs associated with the project
- all revenues associated with the project
- any fees charged to participants
- any other financial contributions of any kind (include items awaiting approval)

Financial Information:

1. Please provide the following information regarding the project budget. (You may wish to submit your own budget information on a separate sheet attached.)

- all costs associated with the project
- all revenues associated with the project
- any fees charged to participants
- any other financial contributions of any kind (include items awaiting approval)

REVENUES:	Amount	EXPENDITURES:	Amount
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Totals:	\$ _____	\$ _____	_____

Amount Requested for funding (Shortfall): \$ _____

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3164
 CONNECTION TEL 12502483294
 SUBADDRESS
 CONNECTION ID JOAN Jeff JON
 ST. TIME 02/09 08:59
 USAGE T 00'43
 PGS. SENT 1
 RESULT OK

*District 69 Commission Recreation Grants Criteria Review
 February 7, 2006
 Page 3*

FINANCIAL IMPLICATIONS

There are no budget implications to amending the Recreation Grant Program criteria.

SUMMARY

The District 69 Recreation Commission recommended reviewing the Community Recreation Grants Program criteria to address concerns and confusion regarding certain types of applications, specifically those for repairs, maintenance and capital improvements to facilities owned and operated by community associations. The Community Recreation Grants criteria set out since 2002 is deliberately broad so as to consider the widest range of program and community service needs. The program has been very successful over the past number of years, assisting many organizations to initiate a wide variety of recreation related projects. However, there is a discrepancy between the participant members for the District 69 Recreation Coordinating service and the use of grant funds for Electoral Area community facilities. Specifically, the Regional Board confirmed as a principle of cost sharing in services, that where a service is not regionally owned or operated, costs will be shared for operations only. Grants to a community to provide a direct recreation type service fit these criteria, whereas grants for non-owned community halls and other facilities do not. Staff believes that these concerns can be met by separating grants for Electoral Area community halls and other types of facilities from the Recreation Service and incorporating that aspect within a broadened Electoral Area Community Park service. This has the advantage of aligning community financial support for parks and community facilities directly to the community in which the facility is located. Further work will proceed with the Directors from Electoral Areas 'E', 'F', 'G' and 'H' to complete the outline of the financial scope and criteria for this separate grant program for 2007.

RECOMMENDATIONS

1. That the District 69 Recreation Grants Program criteria be amended to exclude requests for repairs, maintenance or capital improvements to facilities.
2. That staff develop a framework for providing facility based grants commencing in 2007 within the Electoral Area Community Parks function.


 Report Writer



REGIONAL DISTRICT OF NANAIMO	
CHAIR	GM Cms
CAO	GM ES
DA CCD	MoF
FEB 22 2006	
Board	

MEMORANDUM

TO: Herman Koolman
 Manager of Inspection and Enforcement

DATE: February 7, 2006

FROM: Maude Mackey
 Bylaw Enforcement Officer

FILE: 4020 20 296A05

SUBJECT: Contravention of 'Unsightly Premises Regulatory Bylaw No. 1073, 1996
 Electoral Area 'A' - 1701 Morden Road

PURPOSE

To obtain the Board's direction regarding an ongoing property maintenance contravention on the above property.

BACKGROUND

Property: 1701 Morden Road

Legal Description: Lot 5, Block 15, Section 10, Range 7, Cranberry District, Plan 1724

Property Owner: Alain Joseph Hardy
 1701 Morden Road
 Nanaimo, B.C. V9X 1T6

Zoning: Residential 2

Since December 8, 2005, this property has been subject to three separate neighbourhood complaints regarding property maintenance as area residents object to the quantity of discarded materials strewn about the property. Subsequent to that date, staff have repeatedly attempted to discuss the concern with Mr. Hardy through both personal attendance and correspondence however he has been unresponsive. His property continues to be a blight on the neighbourhood.

ALTERNATIVES

1. That no action be taken by the Board at this time.
2. That the owner be directed to remove the identified items from the property.

FINANCIAL IMPLICATIONS

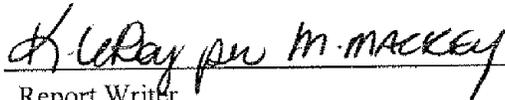
If the Board directs the property owner to remove the identified items from the property, any costs incurred by the Regional District of its agent with respect to the removal, shall be recovered from the property owner.

SUMMARY/CONCLUSIONS

This property is subject to a property maintenance bylaw and the discarded, disused materials/items strewn about the site would be in contravention of this regulation.

RECOMMENDATION

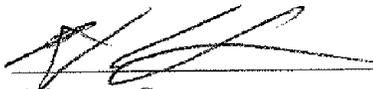
That should the property maintenance concerns not be rectified by February 28, 2006 pursuant to "Unsightly Premises Regulatory Bylaw No. 1073, 1996", the Board direct the owner of the above property to remove from the premises, those items as set out in the attached resolution within fourteen (14) days, or the work will be undertaken by the Regional District's agents at the owners cost.



Report Writer



Deputy Administrator



Manager Concurrence



CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

RESOLUTION

UNSIGHTLY PREMISES REGULATORY BYLAW NO. 1073, 1996

MOVED _____, SECONDED _____, that pursuant to the provisions of the *Unsightly Premises Regulatory Bylaw No. 1073, 1996* and amendments thereto, IT IS HEREBY RESOLVED that the owners of the respective premises set forth below be notified to remove the accumulation of the materials indicated and to take such remedial measures as are specified:

PROPERTY

DESCRIPTION: Lot 5, Block 15, Section 10, Range 7, Cranberry District, Plan 1724

LOCATION: 1701 Morden Road

OWNER: Alain Joseph Hardy
1701 Morden Road
Nanaimo, B.C. V9X 1T6

UNSIGHTLY

ACCUMULATION: Household debris and discarded, disused materials

REMEDIAL

MEASURES: To remove the accumulation of discarded, disused materials and household debris, leaving the property clean and tidy.

AND BE FURTHER RESOLVED that the Bylaw Enforcement Officer of the Regional District of Nanaimo BE AND IS HEREBY AUTHORIZED in default of such removal or remedial measures being undertaken by the owner(s) or occupier(s), within fourteen (14) days of receipt of notice to do so, to carry out or have such work carried out and the expense charged to the owner(s)/occupier(s). If unpaid by December 31st in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

I hereby certify the foregoing to be a true and correct copy of the resolution passed by the Board of the Regional District at its regular meeting, held February 28, 2006.

(DATED at Nanaimo, B.C.
this _____ day of February, 2006)

Chief Administrative Officer